

A petition directed to her most excellent Maiestie, wherein is deliuered

- 1 A meane howe to compound the ciuill dissention in
the church of England.
- 2 A prooffe that they who write for Reformation, doe
not offend against the stat. of 23. Eliz. c. and there-
fore till matters bee compounded, deserue more
faour.

Open thy mouth for the dumbe in the cause of the children
appointed to death, *PROV. 31. 8.*

I beleueed and therefore haue I answered,

For *SIONS* sake I will not cease, and for *IERYSALEMS*
sake I will not holde my tong, *ESA. 62. 1.*

Herevnto is aunexed:

Some opinions of such as sue for Reformation: By which it may appeare howe uniuersall
they are slandered by the Bishops, &c. pag. 53. Together with the Authors
Epistle to the Reader. pag. 58.

Also:

Certaine Articles wherein is discovered the negligence of the Bishops, their Officials,
Fauourers and Followers, in performance of sundrie Ecclesiasticall Statutes, Lawes
and Ordinances Royall and Episcopall, published for the gouernement of the Church
of Englande, pag. 60.

Lastlie:

Certaine Questions or Interrogatories drawen by a fauourer of Reformation, wherein
he desireth to be resolved by the Prelates, pag. 74.

THE UNIVERSITY OF CHICAGO
LIBRARY

1891-1892

1891-1892

1891-1892

1891-1892

1891-1892

To the Queenes most excellent Ma-
iestie, Elizab. by the grace of God, Queene
of Englande, France, and Ireland, supreme Gouver-
nesse in all causes and ouer all persons with-
in her Maiesties Realmes and
Dominions.



Rauing vppon my knees pardon for my
boldnes, I beseeche your most excellent Maie-
stie, to heare me a litle.

All your Highnes subiects that loue the re-
ligion, honour your Maiestie, and desire the
good of the Realme, doe hartily bewayle the bitter conten-
tion about the questions of reforming the Church.

Many seeke to increase this contention. Some labour to
appease it: but this will neuer be till the trueth in these mat-
ters be assured in the hearts of both parties.

I doe not nowe write eyther to pull downe Bishoprickes,
or erect presbyteries. With whom the trueth is, I will not
determine. For I knowe not. What seemeth most probable
and true to me that I knowe.

Howe trueth should come to light, that is the question. Howe contro-
uerfies for Re-
format. may be
compounded.
Writing of bookes in such manner as is nowe vsed, is end-
lesse: wearinesse to the fleshe: matter of further contention,
by reason of impertinent and personall discourses.

The troubles of Churches, and enmtie of Princes, will
not admit a generall Councell.

A free Nationall or Prouinciall Councell at home, were
much to be wished, so that the Bb. and their followers did
not ouerrule the rest. For it is against religion, lawe and rea-
son, that the same men should be both iudges and parties.
Or if this be not thought so conuenient,

There is a way deuised and much commended by a lear-
ned men, as a notable meane to compounde controuersies,
namely priuate conferences by aduised writing, not extem-
porall speaking, the question agreed of. The arguments, the
answers, replies, and reioinders set downe, till both parties
had fully said, all by-matters layd aside. In fine the whole to
be published, that your Maiestie, the honourable Councel-
lours and Parliament may iudge thereof, that those things

a Admonit. de
lib concord. ca.
12.
D. Rain. pre-
face to the
Eng. Seminar.

4 A PETITION

which on eyther parte are found faultie, may be redressed.

That a conference and further reformation is needful

That all things be not so cleare with the Bb. but that further conference, triall, and reformation is requisite, appeareth.

1 By the lawes established, which expect a better and further reformation in Church-causes.

2 By the writings of our Diuines in the common cause against the papistes.

3 By the confession of the Bb. them selues, and such as write in their defence.

4 By their suspicious and doubtfull handlinge of the matters in question.

5 By the testimonie of learned men, and christian Churches who seeme to speake against the gouernement by Bb. and for the gouernement by assisting Elders.

1 The lawes expect a further reformation of the Church.

Your Maiesties most noble Father vnderstanding that the lawes Ecclesiasticall of this lande were corrupt, provided by b Parliament, that 32. persons should peruse and correct them: gathering into one booke those that were good, which by his Royall assent should haue the strength of lawe, all other Ecclesiasticall lawes to be abandoned out of this church for euer.

b 25. H. 8. ca. 19.
3. E. 6. ca. 11.
Rome, 1.

D. Crammer & the former Bb. mislike many things in our present state.

Maister D. Crammer and other reuerend men were delegated to this purpose. They collected into one c booke many good things (as they thought) touching d Aduersion of benefices, e Excommunication for small matters, f Residence of Vniuersitie men vpon their benefices, g Mariages without consent of parentes, h Nursing of children by their owne mother, i Diuorces for infirmitie of body, k Pluralities, l Broken Musicke in Cathedral Churches, m Deacons, The solemnitie of n Excommunication, and Absolution with the assent of the people, and many other things which are directly contrarie to the practise and orders of the moderne Bishops. But this booke wanteth the Kinges confirmation, and the lawes Ecclesiasticall remaine in the same corruption as your Maiesties Father left them, notwithstanding the labours of those Reuerend personages and the act of Parliament, which was o reuiued & confirmed in the beginning of your Highnes most happy reigne.

c Reformat. Ll. ecclesiast.
d pag. 29.
e pag. 80.
f pag. 57.
g pag. 20.
h pag. 22.
i pag. 27.
k pag. 31.
l pag. 43.
m pag. 47.
n pag. 81.

o 1. Eli 2.
c. 1.

2 Also

p 5. & 6. E.
6. c. 1.

q 1. Eliz. c. 2.

2 Also in the booke of common prayer, which was sett forth by your Maiesties brother, and accepted by your Highnes, there is prescribed a *Commination* to bee vsed at a certeine time in the yeare: not to continewe euer, but till an *order of Discipline practised in the primitiue Church be restored*, which were greatly to bee wished, as the authours of that booke doe saye. Yet this Commination standeth, and the Discipline there mentioned, is yet wanting.

The lawe expecteth another kinde of discipline then is yet vsed.

x Booke of ordering Ministers.

3 The booke of ordering Ministers confirmed by lawe, presumeth that euery Minister should be a Preacher. For at the Ordination, the Bishop sayeth: *Take thou authoritie to preache the worde of God*. Yet where the Bb. ordeine one Minister that can preache, they make twentie that can not.

The lawe looketh that all Ministers should be Preachers.

f 1. Eliz. c. 2.
Service and Sacram. 5.

4 Lastlie, it is enacted, That all ornaments of the church and Ministers thereof (such as are Surples, Coapes, &c.) shall be retained and be in use as was appointed by King Edward the 6. not for vchangeable continuance, but until other order were taken by your Maiestie, and your Highnes Ecclesiasticall Commissioners.

The Lawe intendeth the abolition of Surples, Coapes, &c.

2 The Defenders of our common cause expect a further Reformation.

Those things (in effect) be acknowledged by some of our chiefe defendours of religion against the papistes. For when they object That we are glad to borrowe their ceremonies, & to haue an apish imitation of their Masse booke, v answer is returned, *That diuers abuses in Ceremonies and Discipline were tollerated among vs, our Church therein yeelding to the infirmitie of the weaker sorte, which were to be altered, when people grewe to ryper knowledge.*

Papistes offended with our Ceremonies & Communion booke.

z Brist. motions.

v D. Fulk Re-
tent. pa. 98.
in his works.

3 The Defenders of the state of Bb. expect further Reformation.

x Canon. dis.
pag. 20.

1 All the Bishops in their Canons do confesse, that *Non-residencie is a filthy thing, odious to men, and pernicious to the Church*, yet what is more common?

y Booke of Ord. Priests and Bb.

2 By the ylawes of England, in the ordination of Bb. the Archbishop should lay the Bible vpon the Bishops neck that is to be ordeined, and put a pastorall staffe into his hande. If

The Bb. should aswell vse pastorall Staves,

as Ministers
Surplices.

the Archbishops did not esteeme these as vaine ceremonies, they would vrge them with as great vehemencie vpon Bb. as they doe Surplices vpon Ministers.

Excommunic.
by lay Chaun-
celors condem-
ned by the
Prel.

3 My L. of ² *Canterb.* in his booke against Maister Cartw. ² D. Whigg. sayeth, *That Chancellours who are not Ministers, should not* pag. 679.

^a *excommunicate.* The authours of the ^a *Remonstrance*, and ^a *Remonst.* ^b *Matthewe Sutcliffes* bookes, defenders of the *Hierarchie* by pag. 178.
writing thinke it a most vnmeete thing, that such as bee no ^b *Disputat.*
ministers of the worde, should meddle with the keies of the *Mat. Sutcl.*
Church, yet the contrary is daily vsed. pag. 83.

B. of Lond. his
Porter minist.
Many lewde
and ignorant
ministers.
Our Reform.
only tollerable.

4 The Bishop of London ^c confesseth, That hee made his ^c *Admoni. ag.*
Porter minister, and the other Bb. doe acknowledge, ^d *That* ^d *Marti. Marp.*
many lewde and vnlearned ministers haue bene made of late in pag. 53. 1. edi.
Englande, which they will not seeme to defende. Besides they say, ^d *Ibid. pa. 99*

^e *We haue yet but a tollerable manner of reformation:* all which ^e *Ibi. pa. 139.*
doe euince a further reformation.

Punishment of
Adultery.

5 D. Cosins, one of the high Cōmissioners writeth, ^f *That* ^f *Answer to*
the punishment of Adulterie is to milde. ^f *the Abstract.*
pag. 249.

Subscription,
othe ex offic.
Excommunic.
Silencing of
Minist.

6 A learned man and friend of the Bb. g noteth as abuses, ^g *Aduer. to*
Their vrging of Subscription, Their oth ex officio, Their excom- ^g *the church of*
munication for trifles, and easie silencing of Ministers. ^g *England, not*
^g *printed.*

4 *The suspitious and doubtfull handling of the controuersed*
matters, imployeth some need of reformation
and conference.

The Bb. con-
fesse, there was
a gouernement
by Elders.

1 My L. of *Cant.* speaking of the maine controuerisie tou- ^h D. Whigg.
ching gouernement by Seni. or Elders, sayeth, ^h *That hee* pag. 654.
knoweth that the primitive Church had in euery Church certaine lin. 54.
Seniors, to whom the gouernement of the Congregation was com-
mitted. In a booke against the *Marprelate* subscribed (as I
haue heard) by the Archb. of *Cant.* the Bb. of *Winch. Linc. &*
London, it is affirmed, that the gouernement by Elders was
used vnder the ⁱ *Lawe*, and ^k *practised vnder the Gospell by the*
Apostles, though not fitt for our times. But repenting this
plaine confession, they haue caused certaine words impor- ⁱ *Admo. ag.*
ting the contrarie, to be printed vpon a sheet of paper, which ⁱ *Marp. pa. 134*
paper was pasted in all the bookes of the first impression, to ^k *Ibid. p. 135*
couer and conceale their former assertion.

2 The *Remonstrance* comming after, holdeth, there was
neuer any gouernement by *Elders* in the Church, but yeel-
deth,

1 Remonst.
pag. 166.
m pag. 9.

deth, that if the¹ *Eldership begun in the Lawe and continued in the Gospell, that then it should stande to the worldes ende. For so much m as is prescribed in the new lawe, no prescription ought to be made against it.*

Vpon which crosse assertions laide one vppon another, the aduerse partie may presse out the conclusion of all the controuersie.

If the Eldership begun in the Lawe, and continued in the Gospell, then no prescription may be made against it, but it should stande for euer. So sayth the Remonst.

The Eldership concluded out of the assertions of the Presb.

But the Eldership begun in the Lawe and continued in the Gospell. So say the Bb.

Therefore no prescription may be made against the Eldership, but it should stande for euer.

n In his Disputat. & tract.
o Treat in Eng. pag. 213

3 But one *Mathewe Sutcliffe* comming after these, controulleth both: for he protesteth there wasⁿ neuer any gouernment by Elders vnder the Gospell, or if there were, yet theⁿ gouernement vsed by the Apost. is changeable, not of necessitie to be continewed. Not content herein to make the rent of our Church deeper then euer it was, hee hath openly in latine defaced forreine Churches (of whom D. *Whitgift* and other haue alwayes written honorably) that wee might not onely be at warre within our selues, but with straungers also. Wherby it is likelie there will arise as daungerous trouble to the Churches about Discipline, as hath growen by the question of Consubstantiation, to the great offence of the common aduersarie, and generall disquiet of all Christendome.

Math. Sutcli. supplanteth his fellowes.

He ministreth occasio of great discord in the Churches.

Touching the state of Bb. diuers who nowe most egerlie defende, when they were nearest to God, that is, in miserie & anguillie of soule, did speake against it: but afterwarde inclining to the worlde, with their conditions they altered their opinions.

The Prelates haue written against the state of Bb.

Harborow for faithfull subjects, print. at Straesborough.

1 Maister *Elmar*, nowe Bishop of London, writeth thus, *Christ sayeth Luc. 12. Who made me a Iudge betweene you? As though hee would saye, It belongeth not to my office to determine matters of pollicie and inheritance, that belongeth to the ciuill Magistrate. If he had thought it had bene within the compasse of his function, why and with what conscience refused he to set them at one, who were at strife, and to put that out of doubt, which was in suite? If he might doe it and would not, hee lacked charitie and did*

The B. of Lon. his reasons against ciuill authoritie in ecclesiast. persons

did not his duetie. If it belonged not to him, howe belonged it to anie of his Disciples or successours? Had not he as large a commission as he gaue? Or could he giue that he had not? But hee knowing his office as the Prophete Esay had foretolde, to preach the gospel, and would doe nothing without warrant. And therefore being asked, if he were a King, answered simplie and by a plaine negatiue, *My kingdome is not of this world.* If his kingdome were not here, neither the ordering of pollicies, &c. Yea when they would haue taken him vp so haue made him a king, as one that refused that belonged not to him, he conueyed him selfe from among them. If Imperiall iurisdiction belonged to him, why refused he his calling? If it did not, where had Paul or any other, any authoritie to meddle with that which he refused? Seeing hee sayeth: *As my Father sent me, so sende I you.* In another place, Christ knowinge the bondes of his calling, would not medle with externe pollicie, &c. Diuines me thinks by this example should not giue them selues too much the bridle, and too large a scope to meddle too farre with matters of pollicie. If these two offices, I meane ecclesiasticall and ciuill be so imbled in both functions, there can be no quiet or well ordered common wealth. And againe, Princes of the Nations doe beare rule like Lords, it shall not be so with you. It falleth not into an Apostles or Church-mans office to meddle with such matters. For none going to warre, intangleth him selfe with the affaires of this life: it is enough for them to waite vpon one office, to attende as sole priestes, not as errant Bayliffes. And elsewhere:

It is a confused state where one man handleth ecclesiasticall and ciuill causes.

Bb. must yeeld vp their thousands.

Howe Bb. liuings should be employed.

Hospitalitie no reason why Bishops should haue great liuings.

Come off ye Bishops, away with your superfluities, yeelde vp your thousandes, be content with hundredes, as they be in other reformed Churches, where there be as great learned men as you are. Let your portion be priestlike and not Princelike. Let the Queene haue the rest of your temporalities, to mainteine warres, & to build schooles throughout the Realme, that euery parishe Church may haue his Preacher, euery Citie hir Superintendent to liue not pompeously. Which will neuer be, vnles your landes bee dispersed and bestowed vpon many, which now feede and fat but one. Remember that Abimelech, when David in his banishment would haue dined with him kept such hospitalitie, that hee had no bread to giue him, but the Shewbread. Where was all his superfluitie to keepe your pretended hospitalitie? For that is the cause that you alleadge you must haue thousandes, as though you were commaunded to keepe hospitalitie rather with a thousande, then with an hundred.

1. Sam. 21.

This booke was written in defence of the lawfull regiment

TO HER MAIESTIE.

ment of women, but now the authour laboureth to suppress this booke, tenderinge more the state of the Bb. then the Queenes Crowne.

Letter to M.
Bull dated
dec. 5. 1564.
in print.

2 Maister *Bnllingham* before he was Bishop, being arriued at *Emden*, after many stormes, wrote vnto a godly man in this manner: *Would God, Maister Bull, that all the Prelates in Englande had bene with me when we fell to cutting off Cables, riding at anchor in the raging seas, There would haue bene tearing of square cappes, renting of Rochets, defying of Bishopricks, despising of pompe, promising a new life, crying for mercy. O what a tragedie would there haue bene! Well, well, though now they walke dry shod in their pallaces, there is a God that will trie them and all his people by fire or by water, vnesse we hartily repent. Grace to repent, graunt vs, O Lord, without delay, Amen, Amen.*

P Of the
Princ. Supre-
macy, pa. 926.

3 D. *Bridges* before hee intangled him selfe with the Disciplinary controuerfies, writing against the papists, vseth these wordes: *p Christ hath put such a barre betweene Bb. and Princes, that his spirituall Bb. cannot haue earthly kingdomes.* And again, where the papists helde that the Pope was not properly but vnproperly a Lorde: to take away this, he addeth: *Christ simply debarreth all his spirituall Ministers from ruling of temporall kingdomes. Christ hath both properly and vnproperly debarred them. Vos autem non sic, You shall not doe so.* These wordes strike dead Maister *Sanders*. Further, whereas the papists account *Aerius* and all Protestants heretikes, because they hold that by Gods book *A Bishop and a Priest are all one*, & D. *Bridges* doeth therein iustifie *Aerius* and the Protestantes out of *Hierome, Peter Lumbard, Durand*, and the *Institutio* of *Collen*. But sithens that time, writing in defence of Bishops, he main- teyneth their Lordshippe, and accounteth his brethren *Aerian* heretikes. This doublinge by such as defende the Hierarchie, must needs cast great doubttes in the hartes of all men.

D. Bridges a-
gainst Lord-
ship of mini.

q Of the
Princ. Supre.
pag. 359.

r Defence of
gouernement
pag. 448. &c.
f Ibid. pag.
281. 373.

D. Bridges in-
sisteth *Aerius*.

5 Testimonies of learned men, imply some further Reformation.

These followers of Reformation giue greater colour to their cause by the testimonie of auncient and late writers, whom they pretend to speake against the manner of our gouernement by Bishops, and for the gouernement of their Elders.

B

1 Against

Testim. a-
gainst Bb.

1 Against the authoritie and practise of our Bb. they al-
leadge the ^t Canons of the Apostles, the Councils of ^v Car-
thage, ^x Calcedone, ^y Constans, ^z Turon and ^a Macra, the testi-
monie of ^b Cyprian, ^c Tertullian, ^d Augustine, ^e Hierome, ^f Am-
brose, ^g Chrysostome, ^h Gregorie, ⁱ Hilarie, ^k Synesius, ^l Nazi-
anzene, ^m Origene, and ⁿ Bernard.

Reformed chur-
ches haue no
such Bishops
as England.

2 Touching late ^o reformed Churches, they mainteyne,
that there is no protestant Church in all *Hungarie, Poleland,*
Denmarke, Friselande, Sweveland, Heluetia, Saxony, Anspurg,
or in any parte of *Germanie*, in *France, Scotlande*, the low Coun-
tries, or in any nation truely professing the Gospell in all the
world, that doth either by their doctrine or practise, attribute
so much authoritie, ciuill and ecclesiasticall in sole excōmuni-
cation and ordination of Priestes, as is now vsed and challen-
ged by English Bishops.

Late Writers
against the So-
uerainie of
Bishops.

3 Among late writers they drawe to this purpose ^p Lu-
ther, ^q Melancthon, ^r Bucer, ^s Martyr, ^t Calvin, ^v Beza, ^x Bul-
linger, ^y Zanchius, ^z Daneu, ^a Erastus, ^b Gualter, ^c Munster,
and many other.

4 Lastly, out of our owne Englishe Writers they fetch
matter against the Bb.

M. Iewell rea-
soneth against
the Lordship
of Bb.

1 *Harding* would proue by the example of Moses, who
exercised both a Priestes and Princes office, that the Pope
may vse ecclesiasticall and ciuill authoritie. Maister ^d Jewell
answereth thus: Christ him selfe sayth to the Pope and to all
other Priestes and Bb. *The kings of the nations rule ouer them,*
and they that are great exercise authoritie ouer the people, but it
shall not be so among you. He addeth the saying of ^e Cyprian,
Christ by seuerall dueties and distinct honours, hath set a diffe-
rence betweene the offices of both powers. Also he vrgeth an effe-
ctuall speach of ^f Bernard to the Pope, *That hee can not be both*
a successor of the Apostles and a Lord. For doubtles he was for-
bidden the one of them, Yet our Bb. be both.

M. Nowell
reasoneth a-
gainst the
Lordship of
Ministers.

2 Mai. Nowell Deane of Poules saith, *g* that Christ refused
pompe, riches and dominions, when the Diuell offered them. Hee
denyed his kingdome to be of this worlde, and forbade his trew Dis-
ciples the possession of such riches and worldly dominions, as the

^t Can. 6. &
80.
^v 6. Con. Car.
c 19.
^x c. 3. & 7.
^y 6. Conc.
Const. c. 19.
^z 3. Turon
Connc.
^a Citat. per
Illiric. De
restib. veri.
^b Lib. 3. epi.
10. 14. 27.
^c Et lib. 1. epi.
9. Dist. 10.
quonia idem
^d De leun.
^e Lib. de ope.
Monach.
^f De ciuit. Dei.
lib. 19. c. 19
^g In Tit. &
ad Ocean.
^h lib. epi. 5.
& 33.
ⁱ Homil. 2. in
epist. ad Phil.
^j Prefat. in
Dialog.
^k Aduri. Cōf.
^l epi. 67.
^m Orat. ad
Maxim.
ⁿ In Es. 6.
^o De confid.
ad Eugen. li. 2.
^p Se the Har.
of confess. in
Eng. pa. 600
353. 342.
^q Obser. 3. se. 11
^r De fals.
nom. ord. epi.
^s Indicat A-
bus. Eccle.
ex. lib. Im-
perator.

^r Lib. de Act. Colloq. Ratif. ^s In Rom. 13. ^t Inst. li. 4. 11. 8. ^v In Phil. 1. 1. ^x 4. Sermon. 5. decad. ^y Confe. pa. 170
^z Isag. 3. part. lib. 2. ca. 8. ^a Confr. The. p. 171. ^b In 1. Cor. 6. ^c In Mat. 20. Heb. ^d Def. Apol. pa. 714.
^e Dist. 10. quon. idem. ^f De confid. ad Eng. ^g Dorm. Rep. pag. 17.

Pope

^h Ibid. pa. 48. Pope nowe claymeth. In another place, ^h Christ forbid his Ministers all Dominion and worldly gouernement, Mat. 20. And againe, ⁱ S. Peter forbiddeth Ministers to exercise Dominion or Lordship ouer their flockes.

^k Book in 4^o. pag. 126. 3 D. Bilson Warden of Winch. hath thus written: ^k Christ expressly forbiddeth his Apostles to be rulers of Nations. The kings of the nations rule ouer their people, &c. With you it shall not be so. In which wordes Christ doeth not traduce the power of Princes as vniust, but distinguisheth the calling of the Apostles from the manner of regiment which God hath allowed the Magistrate. Christ saith not, Princes are Tyrants, you shall deale more courtouslie, but he sayeth, Princes be Rulers by Gods ordinance, you shall not be so, &c. Then he proueth, that Katakryriein is not meant of Tyrannicall, but of Rule with authoritie, and shutteth vp his argument in this sorte: Therefore the conclusion is ineuitable, That Princes may lawfully compell and punish their subiects, but Bishops may not. This manner of reasoning against the papistes hath incensed me vehemently against L. Bb. If these reasons be not good, Maister Iewell, Maister Nowell, and D. Bilson haue much to answere.

D. Bilson op-
pugneth the
Lordship of
Bishops.

Katakryrie-
uein, meant
of lawfull,
not tyranna-
call rule.

5 On the other side, these whote pursuers of Reformation haue had great inducementes to enforce the Eldership.

^a Epist. ad Trallen. &c. ^b In Apolog. ^c 39. & lib. de Baptism. ^c Lib. 2. ep. 5 ^{lib. 3. epist. 10} ^{Epi. 18. epi. 22} ^{lib. 4. epi. 5. & ult.} ^d De verb. Dom. in Mat. ^{Serm. 19.} ^e In 1. Ti. 5. 1 ^f In Ef. 2. & ^{ad Rustic. 16.} ^{q. 1. eccle.} ^g In vit. Aug. ^h Lib. 5. cap. 21. ⁱ 15. q. 7. Si quid. dist. 95. Esco. ^k In 1. Cor. 12. ^l In 1. Cor. 12. ^m In 1. Cor. 12. ⁿ In 1. Cor. 12. ^o In 1. Cor. 12. ^p In 1. Cor. 12. ^q In 1. Cor. 12. ^r In Ecclesiast. li. 2. ca. 3. ^s Abus. Eccle. indis. exhib. Imper. ^t In Rom. 12. ^v Anal. in Rom. 12. ^w In Rom. 12. ^x Decad. 5. Ser. 3. ^y Loc. Com. De ordin. Minist. ^z Loc. com. de Magist. ^a De ver. Eccle. lib. 2. ^b Respons. ad Cens. Paris. pag. 118. ^c In 1. Tim. 3. ^d De pol. ciu. & eccle. ^e Disc. chur. pa. 136. ^f Catech. pag. 288. ^g De Eccle. pag. 248. ^h In operib. pag. 638. ⁱ Repros. of Dorn. pag. 226. ^k Against Greg. Mart. pag. 173. ^l Cont. Durand. pag. 807. ^m De Discip. Eccles. ⁿ Catech.

That there
was a gou-
ernment by
Elders

1 That there was a gouernement by Elders assisting the Ministerie in the primitiue church, is collected obscurely out of ^a Ignatius, ^b Tertullian, ^c Cyprian, ^d Augustine. More clearlie out of ^e Ambrose, ^f Hierome, ^g Possidonius, ^h Socrates, and the ⁱ Canon lawe.

2 The Diuines of later time (almost) generally doe gather the Eldership out of the Script. namely, ^k Zuinglius, ^l Mar-tyr, ^m Aretius, ⁿ Calvin, ^o Illiricus, ^p Hemingius, ^q Hiperius, ^r Iunius, ^s Bucer, ^t Beza, ^v Piscator, ^w Oleuian, ^x Bullinger, ^y Szegedinus, ^z Musculus, ^a Heshusius, ^b Robert Stephen, ^c Danens, and ^d Italian, ^e Bertrand de Loques, ^f Bastingius, ^g Mornens, ^h Sa-deell, ⁱ Nowell, ^k Fulk, ^l Whitakers, ^m Snecanus, ⁿ Vrsinus, and

^h Lib. 5. cap. 21. ⁱ 15. q. 7. Si quid. dist. 95. Esco. ^k In 1. Cor. 12. ^l In 1. Cor. 12. ^m In 1. Cor. 12. ⁿ In 1. Cor. 12. ^o In 1. Cor. 12. ^p In 1. Cor. 12. ^q In 1. Cor. 12. ^r In Ecclesiast. li. 2. ca. 3. ^s Abus. Eccle. indis. exhib. Imper. ^t In Rom. 12. ^v Anal. in Rom. 12. ^w In Rom. 12. ^x Decad. 5. Ser. 3. ^y Loc. Com. De ordin. Minist. ^z Loc. com. de Magist. ^a De ver. Eccle. lib. 2. ^b Respons. ad Cens. Paris. pag. 118. ^c In 1. Tim. 3. ^d De pol. ciu. & eccle. ^e Disc. chur. pa. 136. ^f Catech. pag. 288. ^g De Eccle. pag. 248. ^h In operib. pag. 638. ⁱ Repros. of Dorn. pag. 226. ^k Against Greg. Mart. pag. 173. ^l Cont. Durand. pag. 807. ^m De Discip. Eccles. ⁿ Catech.

m Trelcatius. Lastly the Churches in the lowen Countries,
o France, **p Heluetia,** and **q Scotlande** doe consent herein.

That the gou-
 ernement by
 Eld. should co-
 tinue under
 a Christian
 Magistrate.

3 That the same gouernement by Elders should continue
 under the Christian Magistrates, is agreed by **r Iohn Alasco,**
Vtenhorius, Micronius, Zuinglius, Oecolampadius, Zwichius,
Capito, Myconius, Farell, Viret, Melancthon, v Bucer, w Cal-
uin, x Martyr, y Iunius, z Beza, a Zanchius, b Daneus, c Vr-
sinus, d Bullinger, e Stephen, f Caluētus, Colladonius, Tremulius,
Pinaldus, Tanergius, Perottus, Chausseus, Bertrandus, Carpen-
terius, De Plurre, Perilius, Henricus, Serranus, Caluus, Portus,
Golarcius, Jacomotus, Dupleus, g Szegedinus, h Heshusius, i De Lo-
ques, k Bastingius, l Pollanus, m Snecanus, n Fulke, o Rainolds,
 and others most rare politikes of this time, especially **p Euseb.**
Cosmopolitan. and Bodin. Bodin hauing discoursed vppon the
 rising, falling, conuersion, and translation of the principall
 Empires, Kingdomes, states and common wealthes in the
 worlde, at length descendeth to the state of **Geneua,** & giueth
 a very honorable testimonie of the great profit arising by the
Discipline and Eldership to that common wealth. His words
 be these: **q But this is to be commended in Geneua, If there bee**
any thing in the World worthy commendation, which also maketh
the common wealt h to flourish though not in riches and largenesse
of dominion, yet surely in vertue and godlines. I meane the Disci-
pline of the Ministers (or Elders) which is as excellent and hea-
uenly a way as can be deuised to repress the faultes of men, and
such enormities as can not be redressed by any humane lawes and
iudgements. Yet this censure is according to the rule by Christ pre-
scribed. Namely, at the first secretlie and friendlie, afterwarde
some what more roundlie and sharpely. Then if the party doe not
relent, he is interdicted solemnly and seriously from the participa-
tion of the heauenly mysteries. If this doeth no good, then the Ma-
gistrate punisheth. Whereupon it falleth out that such thinges as
are not punishable any where by lawe, are without any stirre or tu-
mult reformed there by those Censors (or Elders) who bee greatlie
reuerenced among the people, by reason of their vertue. Therefore

Bodins testim.
 of the Discip.
 and Eldership
 in Geneua.

The Christian
 proeession in
 censuring sin.

Notumult ri-
 seth by the El-
 dership.

h De ver. Eccle. lib. 2. cap. 18. i Disc. Church. pag. 235, 237. k Catech. pag. 289. l Liturg. sac. Argent.
Eccles. m De discip. Eccle. n Learned Discourse of Disc. o Sermon. at Oxford, p 2. Dialog. q Bod. Method.
cap. 6. pag. 245.

m Table of dr.
n Harm. conf.
pag. 363.
o Ibid. pa 359
p Ibid. pa 339
q K. Scots de-
clar. by Walg.
r Lib. de per-
loan Alasc. &
alib. per
Vtenh. edit.
s Vide pro his
vit. Cal. &
eius epist.
t De emendan-
Eccle. abusib.
art. 18. 23. &c
v Abus. eccle.
indicat. De re-
gno Chri. lib. 1
cap. 12.
w Cal. vit.
inslit. 4. 3. 3
x Loc. com. de
Minist. eccle.
si Et. 11. Epist.
Dem Polon.
y Lib. eccle.
z Epist. pref.
test. cont. Era.
pag. 120
a Conf. Zan.
cap. 25. se. 6
7. ca. 26. se. 6
b Isagog. 3.
part. cap. 5.
m 1 Tim. 5
c Catech.
d Cal. ep 166
e Gloss. in
Mat. 18.
f Thes. e scri.
desum. impres.
Lond. 1568.
eum priuil.
g Loc. com.
pa. 107. 208.

it is, that no Whoores, no drunkardes, no dauncing, no begging, no idle persons are to be founde in that citie. The more popiſhe and corrupt that this *Bodin* is, the more available and lesse parti- all is his testimonie in this matter. I would to God we might see the like effect in any Citie or Towne in England, wrought by the gouernement of L Bb.

r Harm.conf.
pag. 359.
f Ibid pa. 363
t. Ibid. pa. 339
v See pref. to
the Harm. of
confess. and
Thes. script.
desumpt.

4 This gouernement by Elders is commended to bee vsed in all Churches for euer by the Churches in *France*, the *Low Countries*, in *Heluetia*, in their latter cōfession where- vnto v subscribed the Churches of *Tigure*, *Berne*, *Scaphusia*, *Saint Galls*, *Rhetia*, *Myllaine*, *Bienna*, *Geneua*, *Sauoy*, *Polo- nia*, *Hungary* and *Scotlande*. Wherein be thousandes and ten thousandes of the most excellent Diuines vpon earth.

The Eldership
commended by
christian chur-
ches to their
Magistrates.

5 Lastly, this gouernement by Elders ioyned to the Mini- sters, hath bin vsed (as I haue heard reported) vnder the Em- perour in *Bohemia*, the *Turke*, and *Bassaes* in *Hungarie*, the Papistes in *France*, the Protestant Magistrates in *Scotland*, *Sax- onie*, *Countie Palatine of Rhene*, *Heluetia*, *Sauoy*, *France*, *The lowe Countries*, *Scotlande*, and many places in *Germanie*. Though some Churches and learned men doe not like of ex- communication (in which matter they condemne our state) yet I protest in the presence of Almighty God, that in all the course of my studie, touching these controuersies, I haue not (to my remembraunce) founde, read, or hearde of any pro- testant Church, or learned man in the world, who misliketh that certaine Elders, or graue personages should iointly go- uerne the Church with the Ministers, but onely wee of En- gland. Wherein we at vnwares doe impeach the Parliament and hir Maiestie of indiscretion, which haue thought most meete to giue the chiefe managing of the Church not into the handes of one Bishop, but of many ecclesiasticall Com- missioners, whereof some bee Ministers, and some lay men, therein resembling an ecclesiasticall Eldership. The Bishops wishe that the ecclesiasticall Commission x were more com- mon. And I think if it were settled in 500. places moe then it is, and should gouerne by the worde of God and lawes of this Realme, that there would arise more profit thereby to Reli- gion, then yet hath bene founde by the Bb.

In what places
of christendom
Elders be ioints
gouernours
With Ministr.

The chiefe a-
mong the Hel-
uetia churches
haue rulinge
Elders. See
Simler de Re-
pub. Helv.
lib. 2. pa. 148.
157. 172.
185.

The hie Com-
missioners re-
semble an El-
dership.

x Admonit. a-
gainst M. M.
pag. 81.

To drawe towards a conclusion of this matter, It may bee that they who haue attained to as founde knowledge in all pointes of doctrine as any since the Apostles time, should mi-

Great likeli-
hood that the
Apostolik chur-

ches used a go-
uernement by
Elders.

stake in Discipline. It may be that they whom the spirite of wisdome hath guided in expounding the Scriptures should be alwayes forsaken of that spirite, when they came to expounde or speake of a text concerning discipline. It may bee that all these lights of the world which auowe there was a gouernement by Elders in the primitiue and best Church did and doe grope in darknesse, and that the authours of the *Remonstrance* and *Mattheue Sutcliffes treatises* haue found out the trueth, but vntill they haue approued them selues as profitable to the Church as the former writers haue done, men (not partiall) will still make scruples in these matters.

Great proba-
bilitie that the
gouernement
by Eld. is not
a matter of
such confusion
as is supposed.

Againe, it may be that the exercise of this gouernement is a matter of cōfution, discord, dishonour to the Magistrate, puritanisme, rebellion, a marprince, a marlawe, a marstate, and mar-all, but it is vnlikelie that it should be admitted vnder so many Princes Christians and infidels, papists and Protestantes, and commended by such pearelesse Diuines if it deserued any such taxation.

It is from my purpose in this place to dispute which gouernement is better or worse, or whether these authorities & testimonies (which I call God to witnes, I take to bee according to the allegation) be agreeable to the trueth or otherwise: onely I trust I haue sufficiently proued mine intention, namely, that, *Seeinge the lawes established expect a further and better reformation, Seeinge the writings of our Diuines in the common cause against the Papistes, Seeinge the confession of the Bishops and their fauourers, Seeinge their doubtfull and suspicious handlinge of these conerousies, and Seeinge the testimonies of Councells, Fathers, late Writers, and Churches imply so much,* I conclude, that things goe not so cleare for the Bb. but that further reformation, conference, or triall is expedient.

Curtsey should
be used to the
Seek. of Resor.
till the contro-
uersie bee deci-
ded.

Till which Reformation, tryall and conference be atchieued, all that bee not blinde in affection doe wishe that these followers of Reformation may receyue more curteous vsage then yet appeareth. For (most gracious Soueraine) they bee your Maiesties subiectes aswell as the Bb. They be professors of your owne religion aswell as the Bb. They be Ambassadors of Christ Iesus aswell (if not more in regard of their painfullnesse) then the Bishops. If you will not heare them, whom can they flie vnto? If you will not pitie their manifolde mi-
series

series and molestations, then they are destitute of humane comfort. They deserue fauour. They haue brought many to the knowledge of God, who otherwise should haue remained captiues vnder Sarhan and traytours to your Highnes. They are vnreptouéable before all men, saue in this question of Reformation. Wherein if they offende (as it may bee they doe, for the best men bee lyable to errour:) surely it is to bee thought they fall of ignorance. 1 The writings of the Bb. them selues. 2 The disputations of our Diuines against the papistes, published and printed by authoritie. 3 The testimonie of the principall Diuines in Europe. 4 The vntoward ruling of the Bb. 5 And the apparant vtilitie by gouerning Elders, doe lye as offensiue stumbling blockes in their way.

*The reasons
Why some
haue gone so
farre in mat-
ters of Refor.*

To the ende that these men may haue more mercifull acceptance, and may not be subiect and lie open to the bloudie desires of their aduersaries, whereof (no doubt) some be holowe harted papistes, and some without God in this worlde, who neither regarde Religion, Prince, Bishop or Countrie, but with their own ease and aduantage, I haue (vnder the fauour of better iudgement) taken in hande to pleade, not for any landes or teneiments, but for the liues of your Maiesties most loyall subiectes and Gods faithfull seruantes (for God may haue great interest in them, though they erre in Discipline) whom some do drawe within the statute of *Newes*, because they doe write for Reformation. The words of the statute be these:

13 Eliz. ca. 2.
Newes 6.

If any shall aduisedlie and with a malicious intent denise, write, &c. any maner of booke, writing, &c. containing false, seditious and slaunderous matter to the diffamation of the Queenes Maiestie (that now is) or to the incouraging, stirring, or moving of rebellion, or insurrection within this Realme, he shall suffer and forfait as a felon. From this lawe it is thus reasoned:

Whosoener write bookes to the diffamation of her Maiestie, and to raise rebellion, doe offende against this Statute, and are felons.

They that write for Reformation, make bookes to diffame the Queene, and raise rebellion.

Therefore the writers for Reformation offende against this statute, and are felons.

They proue the first parte of the Minor in this maner:

They that diffame the Bb. who bee members of hir Maiesties

sties body politike, and uphelde by hir lawes, doe diffame the Queene.

They that write for Reformation diffame the Bb. &c.

Touching the second point in the Minor, the followers of the Bishops would proue that the Seekers of Reformation do write to stirre and moue Rebellion. First by argument drawne from the generall scope of their writings. Secondly, by particular supposed mutinous and rebellious sentences scattered in the bookes written in defence of Reformation.

Their generall argument is to this effect:

How all Seek.
Of Reformat
are proued
Rebells.

They that write to worke discontentment in the mindes of the subjects against the gouernement receyued, doe write to moue a rebellion. For Discontentment is the mother of Rebellion.

The Seek. of Reformation write to worke a discontentment in the mindes of the subjects against the gouernement receyued:

Therefore they write to moue a Rebellion.

The supposed mutinous speeches which they gather out of the bookes which speake for Reformation, are these:

D. Banc. sayeth, that Martin threatneth Fists.

a Ser. pag. 39

Others obiekt a place in *Martin Senior*, where he mentioneth a hundred thousande handes, and sayeth, *That these so many together, would strike a great stroke.*

Reprose of
Martin Junior.

D. b Cosins citeth one Fran. Iunius, pag. 28. who holdeth, That people may resist the Princes that hinder the Presbyteries.

And that in the seconde Admonition, pag. 29. it is sayd, *That many thousands in England desire that platforme, and that great troubles will come of it, if they be withstood in their denises, &c.*

b Answer to
the Abstract

If I were perswaded that any seeker of Reformatiō did intende either to diffame hir Maiestie, or to raise rebellion, I am so farre from approuing his fact or writinge in his defence, that I adiudge him rather to be punished as a traytor then a felon. But because I assure my selfe that they bee guiltles of these crimes, in tender regarde of innocencie, and of hir Maiesties most godly lawes, which ought not to bee peruerterd, I haue attempted to aunswere the quarells of their aduersaries in this behalfe: *Saluo semper meliore indicio*: Which clause I will haue to runne and reache from the beginnunge to the midits, from the midits to the end of all this treatise.

For answere to the first point in the argument, I doe make good that

Admitt the Seek. of Reformation doe diffame the Bb. who be mem.

members of her Maiesties body politike and vphelde by hir lawes, yet they doe not diffame the Queene, as this statute intendeth.

In my vnderstanding, there be two generall Bodies politike in this lande. The one, the Bodie politike of the Realme, the other, The Bodie politike of hir Maiestie. The Bodie politike of the Realme, is, All the people in the common wealth, contracted and distinguished into the Three states of the Parliament. The first is the ^cQueenes Maiestie, The second, The Lords,

Two generall Bodies politike in this lande.

The thirde The Commons. The Bb. be not one of the Three states, though ^dMatthewe Sutcliffe should affirme it twentie times, vnlesse he will turne out either the Queene, the Lords, or the Commons, and assigne their place to the Bishops. Although the Bb. since the time ^eof H. 11. Haue bene present in the Kings Courts, with other Barons, till the matter came to the losse of limme or life (for at such times by the flawes they are to auoyde the place) And although they are *de facto* intituled as

The Bb. be not one of the three States.

Authours of our Statutes, yet I holde that this is onely of grace and fauour, and not *de iure* or by necessarie right. For our Princes (as was conuenient) at the assemblie of their Parliaments haue vsed to call the Bb. so long as they were taken for godlie and learned, into their consultations that did concerne the state of the church: but yet they haue not so inthrallled them selues to the aduise and assent of Bb. as if no statute might be of force without them (as the ^gBishops doe nowe to boldly insinuate.) For many lawes haue bin made & doe yet stande in force, the Bb. being absent, or vtterly refusing to assent vnto them, as is expresly proued and shewed out of the statutes and Parliament rolles by Maister ^hJewell, Maister ⁱNowell, Maister ^kFox, Maister ^lBilson, & Maister ^mLambert, a learned lawier of *Lincolns Inne*. Wherefore seeing the Bb. according to their dignities bee none of the three states of the Parliament, or of the Bodie politike of the Realme, (no otherwise then common subiectes be, in which respect they are not diffamed) it can not be taken that in this sence they be members of hir Maiesties Body politike, and therefore the diffaming of them doeth no more touche the Queene, then the diffamation of a common subiect, which faulte is otherwise preuented then by the punishment due to felons.

Whē Bb. were admitted to Parliaments. Bb. may not be present at iudgement of life or limme.

The generall Body politike of hir Maiestie, is, as I conceiue, all the Officers and Magistrates of this lande, who deriue all their authoritie either mediatelie or in mediatic from the

Parliament without Bishops.

^c 11. H. 7. 27
7. H. 7. 14. &
15. 36. & 37.
H. 8. Dier. 60.
^d Enal. treat.
pag. 181.
^e Matt. Pari.
in H. 2. p. 185
^f 10. E. 4. 6.

^g Admonit.
agai. M. M.
pag. 78.

^h Defen. Apo.
pag. 644.

ⁱ Dorm. Rep.
pag. 13.
^k A. B. &
Mon. pa. 421.
^l Booke in 4^o.
pag. 536.
^m Perambul.
of Kent. pag.
221.

Queene. In which regarde the Bb. be *members of hir body politique*, drawing from hir Highnes their ciuill authoritie & lordship. For their ecclesiasticall authoritie hath bene ^aheretofore deduced from hir Maiestie: but I see that of ^blate they begin to claime it from God as the Queene doeth hir Crowne. But howsoeuer the Bishops claime their worldly state or spiritual primacie, the Seek of Reformation doe mainteine, that their iurisdiction is contrarie to the worde of God. Not condemning extertall honor (which is good and godly in it selfe) but misliking that it should be accepted by such persons as are disabled and made vncapable thereof by the Scripture. Thus much for better vnderstanding of this question. To proceed.

1 There must diuers things concurre to make bookes felonious by this statute. First, they must be written *Advisedly against the Queene*, that is, of purpose, wittinglie, not of simplicitie or ignorance. *Ignorantia facti excusat: Ignorance of the fact excuseth the faulte.* And therefore as the Prell. dealt iniuriously with ^cRichard Carmicheil in Scotland, in compelling him to burne his bill because in his dreame hee did cry out, *The Diuell take away the Priestes, for they are a greedy packe:* so if any man in his sleepe or at vnwares shal cast forth diffamatorie words against the Queene, he is not within this statute. Secondly, the booke must be written *of malicious intent*, and as the preamble of the statute is, *by one ill affected to hir Maiestie*, and therefore if a man vse such a speech as Burdet the Marchant did, when he said, *He would make his sonne the heire of the crowne*, meaning his house at the signe of the Crowne, not intending any hurt to the King or Crowne of Englande, he could not without great iniustice be drawne within this or the like statute. Thirdlie, the wordes must containe *false and seditious matter*, and therefore if a man should haue said, that the King *William Rufus* did wickedlie, who to gett mony of the Iewes, caused some conuerted to Christianitie, to returne to Iudaisme (the fact being trewe and wordes not seditious) he could not iustlie be punished by this or any like statute.

The Seekers of Reformation haue not, neither doe write *Advisedly to diffame the Queene*, for they name not hir Maiestie to any dishonor in any of their bookes. If the contrarie can be proued, *Currat lex*: let the offender be punished as hee deserueth. They onely seeke to haue (as they thinke) the corruption of the time redressed, as the Prophets & the holy

^a D. Whit.
pag. 309.
^{D. Andros} con-
ser. with the
Brownistes.
^b Remonst.
Smiciffre.

^c Histo. of the
church of Scot.
pag. 44.

The Seekers of
Reform. do not
write Advis-
edly to diffame
the Quee-
ne.

men of God haue done heretofore, without intendinge anie dishonour to good Princes, such as hir Maiestie is. The Seek. of Reformation write against ignorant and vnlearned ministers: so the Prophet *Esaie* liuinge vnder the godly king, did call the priestes that wanted knowledge *a Dumbe dogges, such as can not barke*. The Seekers of Reformation write against such as be careles and negligent in feeding the soules that depende vpon them, that take the fleece & turne ouer the care of the flocke to other: so *Esaie* reproveth the priestes of his time *b That lye and sleepe, and delite in sleeping*. And another Prophet taxeth them that did not *c Keepe the ordinances of holy thinges them selues, but set other to take charge of the sanctuarie*. The Seekers of Reformation doe cry out against plurified persons, that can nor be content with a competent liuing, but insatiablie by dispensations and qualifications doe ioine benefice to benefice, and charge to charge, rather to entiche them selues then benefite the Church: against such men did *Esaie* complaine, calling them *d Greedie dogges, that can neuer haue enough: euery one of them looking to his owne way and to his owne aduantage*. The Seekers of Reformation write against the ciuill authoritie and rule of Ministers: So *Ieremie* in the dayes of *Iosiah*, a vertuous Prince, condemned Priestes, *e For bearing rule*. The Seekers of Reformation write to haue the Church throughly purged of all remnants of popery & idolatrie: So the spirit of God did note as a fault euen vnder most excellent Kings, *f That the hie places remained vnremoued*. All these and many other witnesss of the trueth did speake and write against the state of the Church in *Judah*, and were not (I trust) *aduised diffamers* of the Princes vnder whom these corruptions had gotten strength. In like manner the writings of the Seek. of Reformation, against such thinges as they verilie beleue to be enormous corruptions, can not iustly be deemed, *aduisedly and of purpose diffamatorie to hir Highnes*. When persecution was most furious in Englande, they that wrote most vehementlie against the Bishops & their proceedings, contenanched by lawe, were neuer accounted aduised diffamers of the Prince: for then they should haue bene reputed and punished as traytours or rebels, rather then as scismatikes and heretiks. Neither hath there bene in all the thirtie yeares of hir Maiesties most flourishing raigne (till within 2. or 3. yeares last past) any such conclusion euer made, though

Vnpredaching
ministers.

Nonresident
and idle
priests.

Vicars or sub-
stitutes.

Conetons and
plurified
priests.

Ciuill autho-
ritie of priests.

Remnants of
Idolatrie.

a *Esaie* 56.10

b *Esaie* 56.10

c *Ezech.* 44.8

d *Esaie* 56.11

e *Ier.* 5. 31.

jirdu, hey
beare rule or
Lordship, as
Rabbi David
and Tremell.
expound it.

f *1. King.* 15.

14.

the same lawes (in substance) haue bene in force and occasion giuen of great extremitie. I am perswaded that vpon hearing the matter debated by learned Lawiers on the parte of the defendants (as g lawe and reason would, in this matter of difficultie that toucheth life) that our reuerende Iudges would at the first make a *quere*, whether the aduised diffamation of the Bb. were an *aduised diffamation of the Queene*. Therefore it may well come vnder the title of *Newes*, that the Seekers of Reformation should resolue in a point of law, wherein the best lawiers may stand in doubt. If my father were a L. Bishop or a *Nonresident*, and I should write against the state of the Bb. or Nonresidence, to make men conformable to the lawe of God, it were absurde to affirme that I did write of purpose and aduisedly to diffame my Father. So in our case *mutatis mutandis*, &c.

In reason, coun-
sell should bee
admitted and
heard, before
difficult cases,
as well vpon
life as landes
were ruled.

8 Stat.
paz. 151. b.

The Seekers of
Reform. do not
write against
Bb. of any ma-
lice to the
Queene.

Neyther doe the Seekers of Reform. write against the iurisdiction of Bb. of any hatred, or *Malice to the Queene*. For whosoever were King or Queene of England (though it were *Dauid* him selfe) they would write to the same effect, that they doe now. It is not like that they malice hir Maiestie: for (sauing the matters in variance) no man can charge them with any shewe of disloyall behaviour. They are instant for hir Maiestie in prayer, both publike & priuate. They detract no duetie, no imposition, no taxe or subsidie, as becommeth duetifull and louing subiects. It was neuer heard that any one no not one of them, did euer attempt any hurt to hir Royall person. Search the Rolls, looke the Recordes, it will appeare that some of them (whom England while England indureth, shall still with thankfulnes remember) haue hazarded themselves as much for hir Maiesties safetie and Englands good, as any subiect whatsoever. When the Spaniards intended an inuasion, the establishment of a forraine potentate in the Sea Royall, and the conuersion of this lande into *Aceldama*, a *fielde of blonde*, the Ministers that seeke Reformation gaue great assurance of their affection and loyaltie to the Queenes Maiestie & the seate. They were importunate with the Lord by priuate and publike prayr & fasting for the safetie of hir Royal person, before the Bishops or their followers were seen to goe about any such matter. And being interdicted by the Bishops (such was their zeale to the State) they still continued as they had begun: some of them (weake in body, though strong

strong in spirite) preaching three or foure times a day, manie daies together, as London can witness: encouraging the people to fight for the Gospell and for their Soueraigne: still calling for repentance, that God might bee mercifull to vs., our Prince and Countrie. Also when the expedition was made into *Portugall*, they renewed these exercises a fortnight or 3. weekes before the Bishops sent to their fauourers any precepts or instructions to doe the like. Is it likelie that these men doe malice hir Maiestie? Surely they malice hir as *Esay*, *Jeremy*, and other Prophetes did malice *Ezechiah*, *Josiah*, and other godlie Kings of *Iudab*, when they reprobued the abuses of the Church vnder them, seeking that they might flourish in all honour by the due obseruation of the Lawe of God, adding vertue to vertue, and reformation to reformations, till *Iudab* and *Ierusalem* were clearly purged. Is this malice to Princes? No. They that hide from Princes the deformitie of a state, crying peace, peace, where no peace is, they bee the most malicious and pestilent enemies of the state.

The men that call for Reformation, may pretend cause or colour of cause both in matters of doctrine & fact, why they may hate the Bishops, which in no sorte may bee applied to hir Maiestie.

Colours of cause
to hate the Bb.
not appliable
to hir Maiestie

d M. Elmar,
M. Bullinghā,
C. c.
e Admonit.
aga. M. M.
138.

f D. Whigg.
pag. 383.
D. Bridg. pa.
259.

g D. Whigg.
pag. 403.
D. Bridg. De-
fenc. pag. 281
Sutcliff.
Engl. treat.

pag. 68. Remonst. pref. C. c. D. Banc. Sermon, pag. 18. Admonit. agai. M. M. pag. 44. h Cont. Hares. lib. 3. tom. 1. Hares. 75. i 1. Eliz. cap. 1. Crown. 6. O Spens. Sadeel. oper. pag. 668. 748. Duree Whitak. Con. Dur. pag. 447. Bella m. Cont. Rhem. Annotat. in 1. Tim. 5. Harding Def. Apolog. pag. 240. Stapleton, Bridg. of Princ. Supr. pag. 359. Briffow, Fulkes, Retent. k In 1. Tim. 3. 2. 1. Tim. 5. 17. 1. Tim. 3. 1. l Sermon. 1. in Epist. ad Phil. l. p. & in Tit. 1. m In 4. Eph. n In 1. Tim. 3. O Phil. 1.

The Bishops. d impugne that which heretofore they haue deliuered as the trueth of God, as I haue shewed. e They confesse there be infinite corruptions in the Church, which yet they will not reforme, nor suffer other to sue for amendment or reformation thereof. They confesse that by Gods worde a f Priest and Bishop are all one, yet g they and their followers make it heresie so to beleue, building vpon *Epiphanius*, who also erroneously in the h same place calleth the Bishops, and all them heretikes, that denie prayer for the dead. Which determination of heresie vpon one mans worde, as it is against the lawes of this Realme, so it wrappeth in heresie both the k Syn-
take Interpreter, who vseth one worde *Kashisha*, both for Priest and Bishop. And also l *Chrysostome*, m *Ambrose*, n Theo-

Corruptions
confessed, not
amended.

A Priest and
Bish. by Gods
word all one.

What the law
accounteth he-
resie. See the
statute.

No Popes Arch
bish. Bb. Chā-
cellors, Archde.
Etc. in the pri-
mitiue church.

Quere howe
Titus could bee
a Bishop, see-
ing they say, he
had more au-
thoritie then a
Priest.

The Prelates
use the same
obiection a-
gainst the see-
kers of Refor.
that the papp.
doe against all
Protestantes.

Pastor and
Teacher di-
stinct offices.

Katakryrie-
uein, of law-
full lordly rule.

Lordlines for-
bidden in mi-
nisters by the
doctrine of
Protestants.

dorete, o Hierome, p Occumenius, q Ifidore, r The Canon Lawe, (in force in England) which saith, That the primitiue church had no other sacred orders, but Deaconship and Priesthood. Also, o Wickles, r Marsilius of Padua, v Luther, w Calvin, x Musculus, y Hofman, z Sadel, a Mornee, b Marlorate, c Iunius, d Whitakers, e Fulk, f Iewell, g Bullinger, h The Waldenses, i Alley Bishop of Excester, k Lambert, l Beza, m Dancus, The n Magdeburgenses, o Knitsius, p Melancthon, q Szegedinus, Many Christian r Churches, and all Protestants that haue written of this matter, who teach expresse, that by the trueth of Gods word Bishops and Priestes be all one and of like authoritie, & therefore are cōdemned by f Bellarmine, t Turrian, v Duree, w Spence, x Harding, The y Rhemists, z Stapleton, a Sanders, b Bristowe, and other papistes, to be Arian heretikes: euen as the Bb. doe account (for the same cause) all the maintainers of Reformation. The c enemies to Reformation doe esteeme it an absurde and monstrous thing, to holde, That a Pastour and Teacher differ in office, though the d Syriake interpreter doe distinguishe them aswell as Apostle and Euangelist, with de-ragnavatha with demalphane, which Guido translateth Ephe. 4. 11. Some Pastours, and some Teachers. And although e Musculus f Hiperius, g Calvin, h Martyr, i Kemnitius, k Beza, l Sadeel, m Dancus, n Szegedinus, o Hemingius, p Bucer, q Bertrand de Loques, r Villiers, s Iunius, and ten Protestante Churches, (as Maister Rogers confesseth) doe account of them as distinct callings. The Bishops doe affirme, that by the v common exposition of all writers Christ by katakryrieuein Matth. 20. 25. doeth onely prohibite in the ministerie tyrannicall, not lawfull Lordly rule, yet of all these writers they can onely name three or foure, whereas the Seekers of Reformation may produce w Luther, x Zuinglius, y Melancton, z Calvin, a Bullinger, b Hemingius, c Illiricus, d Gualter, e Nowell, f Jewell, g Sadeel, h Beza, i Munster, k Bridges against the papists, l Bilson, m Brough-

part. ca. 8. n Cent. 1. li. 2. cap. 7. o Marlor. in Phil. 1. p De coning. Sacer. q Loc. com. pag. 202. r Harm. confes. pag. 373. 344. s Cōtro. de Pont. t Sadeel operib. 668. v Whitak. cont. Dur. pa. 447. w Sadeel operib. 748. x Def. Apol. pa. 240. y Annot. in 1. Ti. 5. z Bridg. of Princ. Supre. pa. 359. a Rock. 584. b Fulks Retent. pa. 123 c M. Rog. Sermon. & the Rest. d Ephe. 4. 11. e In Rom. 12. f Catech. ca. 2. g Instit. li. 4. ca. 3. sect. 4. h In 1. Cor. 12. i Exam. 2. Tom. k Confess. cap. 5. sect. 26. l Oper p. 661. m Isagog. part. 3. li. 2. ca. 9. n Loc. com. 195. o In Ephe. 4. p In Ephe. 4. q Disc. of the Church pag. 131. r Notes in Rom. 12. s Ecclesi. li. 2. ca. 5. t M. Rog. serm. pa. 7. v D. Whigg pag. 69. li. 9. in marg. & 61. li. 50. w Aduers. fals. nom. ord. episc. x Prefa. in Ecclesiast. y Cont. Piggh. 16. z Instit. 4. 11. a Sermon. 57. in Apoca. in Mat. 20. b Enchir. 3. clas. cap. 10. c In Mat. 20. d In Mat. 20. e Dorm. Repro. pa. 3. f Def. Apol. pa. 7. 4. g Oper. pa. 396. h In Mat. 20. i In Mat. 20. Heb. k Of the Princ. suprem. 929. l pag. 126. m Sermon. 1588.

o Ad Ocean. & ad Enag. p In Act. 10. q Lib. 7. Ety-molog. cap. 12. r Dist. 60. s Nullus in epis. f 25. H. 8 c. 19 o Act. & Mo. pag. 450. Last. edit. t Def. pacis. lib. 2. ca. 15 v Aduers. fals. nom. ord. episc. w Instit. li. 4. cap. 3. sect. 8 x Loc. com. De verb. min. y In Tit. 1. z In operib. 748 a De eccle. pag. 250 b In Phil. 1. 1 c Eccle. lib. 2. cap. 1. d Cont. Camp. pag. 121. & Dur. pag. 447. e Ag. Greg. Mar. pa. 172. f Reply. g In Act. 20. 28 h Act. & mō. pag. 236 i Poore mans librar. pag. 96 k Act. & mō. pag. 1086. l 1. Per. 5. 1. m Isagog. 3.

n Confer. pa. 256. **o** Against Rhem. marg. notes vppon Mat. 20. **p** In prelecti. **q** De dif. eccl. pag. 443. **r** Loc. com. 499. **s** Disco. Sand. rock pag. 185. **t** Confr. thes. pa. 171. **v** Harm. conf. 353. **w** D. Whigg. pag. 656. Remonst. pa. 37. **M.** Sw. cliff. Engl. treat. **a** Exod. 21. 6 Elohim. **b** Decur. ani. in opus. 326. **c** Insti. 4. 11. 3. **d** De dif. eccl. pag. 457. **e** Discon. of the church, pa. 255. **f** Cont. Erast. 123. **g** I. sagog. 3. part. ca. 68. **h** Confes. ca. 25 sect. 37. 38. **i** Dorm Repr. pa. 23. 52. 141. **k** Treat. of polit. pow. **l** Def. Apol. 720. **m** pag. 221. **n** Of Prim. su. pa. 1095. 998. **o** D. Whigg. pa. 694. 702. 636. **p** T. C. booke, 1. pag. 155. **q** Hard. Apolog. 6. part. din. 1. Sand. Rock. pag. 389. **r** Stapl. ag. Horn. pa. 43. **s** T. C. booke. 1. pag. 155. **t** Hard. confutat. Apol. pa. 302. 304. Sand. Rock. 513. **v** T. C. booke 3. pa. 159. **w** Sand. Rock. pa. 513. **x** T. C. booke, 1. pag. 155. **y** Apolog. Eng. Sem. cap. 4. sect. 21. **z** An Admonit. in the ende of the Queenes iniunct. **a** 5. Elizabeth. c. 1. Crow. 8.

ton, **n** Rainolds, **o** Withers, **p** Whitakers, **q** Snecanus, **r** Szegedinus, **s** Fulke, **t** Erastus, and the **v** Churches of Bohemia, who say, that Christ speaketh there of lawfull Lordly rule, forbiddinge his Apostles and Ministers of the Gospel to vse the same. The **w** Bb. and their friends adiudge it a popedome and tyrannie to excommunicate Princes, although them selues doe excommunicate inferiour Magistrates (whom the Scripture doeth honour with the hie title of **a** Gods, aswell as the most glorious Emperour) and although both **b** Bucer, **c** Calvin, **d** Snecanus, **e** De Loques, **f** Beza, **g** Danens, **h** Zanchius, **i** Nowell, **k** Poinet Bishop of Winchester, **l** Jewell, **m** Bilson, and **n** Bridges, doe by their doctrine in priuiledged bookes approue the same. The **o** Bb. charge the Seek. of Reformation, flatlie and fully to agree with the papistes in the article of the Princes Supremacie in matters Ecclesiasticall, yet the Seek. of Reformation differ from them in these substantiall pointes following:

1 **p** They giue the Prince authoritie ouer all persons ecclesiasticall whatsoeuer: the **q** papistes exempt their cleargie. **2** They holde that a Prince may depose a priest as Salomon did Abiathar, and accordingly they obey being silenced: the **r** papistes denie it. **3** They affirme that if Priests doe make wicked decrees, that the Prince may enforce them to better: the **t** papistes denie it. **4** They say that Princes may and ought to make lawes for the Church, but with the aduise of godly Pastours: the **w** papistes denie it. **5** They holde that if the Pastours be vnlearned and vngodlie, the Prince may of him selfe without their assent or aduise make orders & lawes for ecclesiasticall matters: the **y** papistes doe vtterly denie. Lastly, they will subscribe in this point to the Articles of Religion established by lawe, to the Apologie to the Church of England, to the writings of M. Jewell, M. Nowell, M. Horn, Maister Whitakers, Maister Bilson, Maister Rainolds, M. Fulke, (for I protest I haue sought, but found nothing in these mens writings touching this matter, that dissenteth from the opinions of them that sue for Reformat.) Besides they take the othe of the Supremacie as **z** hir Maiestie and the **a** Parliament

Princes subiect to excommunication by the doctrine of Protestants.

The Seek. of Reform. differ from the papp. in the Magist. authoritie.

The Seekers of Reformation acknowledge that the Prince hath potestatem iuris.

The Seek of reform. recognise in hir Ma. all authoritie giue by the doctrine and lawes of England.

They that accept the oth are hir Maiesties good and obedient subjects.

doeth

The oth giueth
hir Maiestie
power onely
ouer persons.

They that
would make
men beleue
that hir Maie.
assumeth more
authoritie then
the expositor
of the oth contei-
neth, are Mali-
cious persons.

Articles publi-
shed without
the Queenes
assent.

The Lawe &
Subscription
crossed.

Surples.
Pastorall
staves.

M. Cawdry

Spiritual court
incroaching
upon the
temporall.

doeth expounde it. Wherevpon by expresse allowance of law they are in that respect hir Maiesties good and obedient subiectes, and they that inforce more vpon them in this point of the Magistrates authoritie then that othe with the Queenes exposition thereof comprehendeth, are vpon hir Maiesties royal worde, and enact of lawe *Malicious persons*. Furthermore the c Bb saye, *That the generall opinion of the best writers is against the gouernement by Elders*: whereas they can name only foure, whereof *Caluin* and *Beza* are two, who now be made as partiall as Maister *Carrwright*, and yet the Seek. of Reform. for one writer against the gouernement by Elders, may name 3000. with it. Not one Protestant out of Englande misliketh it. d Some of the Bb. doe confesse the gouernement by Eld. was vsed in the Apostololike church, yet they call it a pope-dome and tyrannie, and preferre an inuention of man before it.

The Seekers of Reformation finde them selues grieved with many matters of fact to which hir Maiestie is not priuie nor partie.

They thinke it harde that any subiect should deuise e articles and subscriptions, and publish them in their own names vpon great paines and penalties to be yeelded vnto, contrarie to the f lawes and liberties of England. It is thought strange, that the Bb. should preciselie inforce the g statute, *That no Minister ought to vse any other open prayers then be set forth in the communion booke*, and extort a promise and h subscription, to vse the forme in the saide booke prescribed and no other, and yet inioine Ministers when the Spaniards were vpon the Seas, to vse in publike assemblies, newe prayers, which the Bb. themselves had contriued. The Bishops care for the Church is commendable: but not the contradiction. They see not why the Bb. should driue them to weare a Surplisse, and yet themselves neglect the vse of *Pastorall staves*, seeing the lawes tie the Bishops to the one aswell as the Ministers to the other. They holde it scarce agreeable to lawe, that Maister *Cawdry* offending in the first degree against the statute that authorizeth the Communion booke, should be punished as an offender in the second degree, and that by an ecclesiastical court, albeit by i lawe he should haue bene convicted thereof according to the common lawes by the verdict of twelue men, &c. They complaine, that the Ecclesiasticall Commissioners hauing onely

b See the Ad-
monit. in the
ende of the
Queenes inun-
tions, with the
statute of 5.

c D. Whig.
pag. 659.

d See afore

e See D. Brid.
def. pag. 33

f 25 H. 8. c.
19.

g 1 Eliz. c. 2.

h D. Bridg.
def. p. 33. at. 2

i 1. Eliz. c. 2.

h 1. Eliz. ca. 4

i See Fitz. Na.
Br. de Homin.
Repleg. & the
stat. tit. Main-
prise.
k Fitz. Nat.
Br. pag. 45. a.
Cromp. Infi.
peac. pag. 52
l See statut.
of 25. H. 8. c.
14. in the pre-
amble, and the
A. & Mon.

to deale in h causes which by ecclesiasticall power may bee corrected, doe conuent before them the publishers and writers of bookes for Rformation, which are supposed to be felonious, & therefore punishable by temporall Iustices. They thinke it harde that in i cases repleuifable by lawe they may not bee bailed by sufficient suertie. They thinke they haue iniurie when they are cited by Bb. to make othes and recognisances in k causes not testamentarie or matrimoniall. They take it grievously, that they are compelled to take infinite and generall othes to aunswere to l intrapping interrogatories (as was practised by the cruell Bb. in Henry the fourth time) and that in matters notorious, where neyther sufficient prooffe nor witnesse is wanting. They pretende many other grievances, as to be imprisoned, suspended, degraded and depriued without due cause and course of lawe, the subiects thereby being left destitute of heavenly teaching, & committed to an ignorant or carelesse prelate, who suffereth the atheist, the papist & traitour to pray vpon them. Lastly, they greatly complaine that the Bb. should be so vnnaturall as to seeke the life of a right godly and faithfull Preacher of the Gospell, I meane Maister Vdall, to whom life was offred if hee would but take his oth that he did not make a booke whereof he was supposed to bee authour. A rare example, that a man should bee knowne standing at a barre, shackled in bolts (but *quare quare iure*) and coupled with a murtherer, whose conscience was thought so faithfull and sound by the Iudge him selfe, that he would not sweare falselie to gaine his life.

Hir most excellent Maiestie is free and cleare from all this dealing. Shee doeth not oppugne the knowne trueth. Shee thinketh the present reformatiō to be sufficient. Shee weigheth not heresie by the drowisie dreame of one Doctour. Shee doeth not ioine with the papists in concluding all protestants to be heretikes. Shee doeth not account that straunge and monstrous, that the most auncient and best interpreters doe agree vpon. Shee braggeth not of all, when shee hath fewe or none. Shee freeth not hir selfe from lawfull censures. Shee calleth the Seekers of Reformation that yeeld to the othe of the Supremacie, as shee expoundeth it, *Hir good and obedient subiectes*, and adiudgeth their aduersaries *Malicious persons*. Shee doeth not reuile the Apostolike gouernement. Shee doeth not authorize the Bishops to contradict the lawes, their

Ecclesiasticall
Commiss. con-
uening publi-
shers of bookes
for Reform.

Refusing baile

Citing of men
to spirit. courts.

Oth ex officio.

Multiplicity of
grievances.M. Vdalls ar-
raignment.

It seemeth that
by law Clerks
should not stand
at the barre in
feters: *quare*,
and see Stam-
ples del Coro.
pag. 133. b.

owne articles & proceedings, to incrouch vpon the temporal Courts, to call men before them where their Courtes cannot holde plea, and to vex them without mercy or iustice. To be short, shee hath not sought the life of a Minister of the Gospell, but like *Abigail blessed of the Lorde God of Israell, hath kept the handes of the executioner from shedding innocent bloude.* 1. Sam. 25. 33
The Bishops perswade hir Highnes (for who would not beleeue the *Graue fathers of the lande* knowing nothing to the contrarie) *that matters of the Church goe verie well.* But if it shall appeare to hir Maiestie to be otherwise, shee will of hir gracious disposition make speede to a better reformation.

Wherefore, seeing they that write for Reformation haue cause or may pretend cause or colour of cause to beare hatred to the Bishops, which can not any way be applied to hir Maiestie, it followeth that the hatred or malice (if you will haue it) proceeding from these causes, can not fall vpon hir Maiestie: for the offences bring hatred and malice to the person, & men be maliced & hated not for sinnes of ignorance or good meaning, but of knowledge and wilfulnesse.

Furthermore, the Seekers of Reformation can not haue any *Malicious intent* in writing for the *Discipline*. They offer their liues to proue the trueth, necessitie and vtilitie thereof. Though a papists cause bee nought, yet his intent may bee good. And why should not wee presume so much for a good christian as for a popish traitour and impious idolater?

Lastly, they doe not write *False and slanderous things*, (the worde *seditions* belongeth to the accusation of *Rebellion*) for that doeth not yet appeare. The last replies are not yet answered. Many things still obiected which were long ago confuted. The followers of Reformation lacke libertie to answer in their owne cause. If they speake, they be silenced: if they write, they wante *PRINTERS*. They be shut vp in close prisons, their handes (as it were) bounde, & then buffeted. They are blindfolded, and then must reed, *who did smite them.* Luk. 12. 64. Vnlesse the Iustices and Iurours can disproue all that hath bene written, and confounde the most profound Clarks in the world, whom the Bishops aduerſaries haue shewed to stande for this reformation, they can not iustly sentence their writings to be false and slanderous. The certificat of the Bb. in this case is trauerſable, and not to be admitted. They stand at the barr as parties.

The Bb. may
not determine
the trueth and
falshoode of
these matters.

a Cic. Orat.
Pro Rosc. Amer-
tin.

b Ioh. 5. 31.
ouk alethes,
non idoneum,

Be 2.
c Iohn 8. 14.

It is worse then a heathenish to beleene Scipio Africanus, who conquered the thirde parte of the worlde, when hee speaketh in his owne cause. If our Sauour Christ should beare b witnesse of him selfe, his witnesse were not fitt, though it must needes c be trew. In Parliaments that concerned the Bb. as parties, they haue bene excluded.

But the lawe and state of Englande (you will say) account these things False. *Obiection.*

So the lawes of other nations account them trew. In mat-
ters of God (as is the gouernement of the Church) the lawes
of God ought to determine trueth and falshood. They onely
should informe the conscience of Iudges. There is not *alia*
veritas Theologica, alia Philosophica: one trueth in Diuinitie, an-
other in Philosophie or humanitie. That distinction is false and
contradictorie. God is one, his worde one, his worke one, his
trueth one. We may aswell say, There be two Sunnes, as two
Treuthes respectiuelie in one thing. The worde of God, not
lawe of man, is the touchstone of this trueth. Iustice d Gas-
coine being demaunded of King Henrie the 4. what he would
doe, if a man guiltles in his owne knowledge, were founde
guiltie of murther by verdict afore him, made this aunswere,
(although the verdict was as good in lawe as any lawe) *That*
he would respite iudgement, and craue the Kings pardon for the
partie conuicted. With which answere the King was well plea-
sed. Whereby we learne, that our owne knowledge and the
lawe of God assured in our conscience, ought rather to guide
our iudgement, then the verdict of law, or testimonie of men.

Answer.

Seeing then that the Seekers of Reform. haue not written
neither do write *Advisedly, Maliciouslie, or Falslie*, much lesse
both *Advisedlie, Maliciouslie, and Falslie, to diffame hir Ma-*
iestie, (for the wordes be in the copulatiue) I conclude in this
generally negatiuelie to the aduersaries argument, though I
should admitt it to be trewe, yet considering these things doe
not concurre in writing of books for Reformation, that they
be not within compasse of this statute.

2 This statute is not meant of hir Maiesties lawes, hir poli-
tike members or state of Bb. but onely of hir Highnes Royall
person, as appeareth by wordes and drift thereof. It is taken
almost *verbatim* from an act made by King Philip & Queene
Marie, which throughout still aimeth at their owne per-
sons. Of whom (the statute saith but could not meane of

*The statute
meant of hir
Maiesties na-
tural person.*

1 & 2. Ph. &
Mar. 3.

their members politike or lawes) *Wee are forbidden* (by Gods lawe) *so much as to thinke ill, much lesse to speake ill.* This acte determined with *Queene Maries* life. In this statute of 23. the preamble importeth that it was made to *suppresse such persons as were ill affected to hir Maiestie.* The body of the law bendeth against them onely that *slaunder the Queenes most excellent Maiestie that nowe is.* By the last proviso in it, this acte hath no longer continuance, then *during the naturall life of hir Maiestie that nowe is.* The state of Bb. (vnles God shorten it) and the politike members and lawes (if speciall prouisoes doe not choake them) are to continewe euer. Wherefore this statute being meant of hir Maiesties naturall person, which is subiect to mortalitie aswel as other, & not of hir body politike which liueth euer, they that diffame the members of the bodie politike, can not be truely saide to diffame the *Queene* as this statute doeth intende.

Every papist
by consequence
a traitor.

3 By the wordes of this statute *If any offende in writings booke to the diffamation of the Queene, (the same offence not being made treason by any other statute) such diffamation shalbe deemed felonie.* By the wordes *Other statute,* is meant (among the rest) a lawe made 13. *Eliz. c. 1.* Whereby it is enacted, that *whosoener shall publishe that hir Highnes is an heretike, schismaticke, tyrant, &c. shalbe punished as a traytor.* By cōparing these statutes which haue apparant relation the one to the other, it should seeme that by the one, namely that of 23. hir Maiesties honour is protected frō petite slaunders, such as intemperancie, vncleannesse, and such like, and by the other, grand slaunders are preuented, as heresie, scisme, tyrannie, and such like. The one adiudged felonie, the other treason. Out of which statutes I reason thus :

If the Seekers of Reformation diffaming hir Maiesties lawes and members politike doe diffame the *Queene* and are therefore felons by the statute of 23. *Eliz.* then they that in a higher degree diffame the lawes and body politike, doe diffame hir Highnes, and are traytours by the statute of 13. *Eli.*

But the papistes diffaming hir Maiesties lawes in makinge the articles of Religion established by flaw, flat heresies, and accounting of the Bishops as hereticall, scismatical, and vsurpinge, doe diffame the lawes and members politike of the *Queene* in a higher degree then the Seekers of Reformation, yet were neuer taken and punished as traytours for diffaming the

f 13. Eli. c. 12.

the Queene, though they haue by monstrous conspiracies & horrible practises giuen cause of extreeme rigour.

Therefore the Seekers of reforma. diffaming the Queenes lawes and body politike, doe not diffame the Queene, nor are felons by the statute of 23. *Elizab.*

4 Euerie penall lawe concerning life, is to be expounded strictlie according to the literall and grammaticall sence, not by inference or equitie, as appeareth by these examples.

*Penall lawes
expounded
strictly.*

a 3. *Eliz. c. 1.*

There is a statute that *whosoener doeth call hir Maiestie heretike, be traytors* (as I noted before) The papistes call all Protestants in general *Heretikes*, yet they be not for such speeches drawne within the statute, though they doe inclusively call the Queene *heretike*. Morcouer, b *None that feloniously steale*

b 1. *E. 6. c. 12*

horses, shall haue their clergie. Accessories to stealers of horses be stealers of horses, both by the lawe of God (before whom euery sinner is a principall) and by the lawe of this lande. For if they can not read, they shall suffer as felons. Yet c accessories to stealing of horses, *shall haue their cleargie*, though in nature there is the greatest proximitie, & in argument the most equall inference and easie slide from the generall to the speciall, that can be imagined. Lastlie (because I will not insiste in a matter so common) the same statute of stealing of horses affordeth the like learning. Therein it is saide, that *No stealer of horses* (in the plurall number) *shall haue his cleargie*. Which number is often in common speach, and in penall lawes touching landes & goods, takē *Synecdochechios* for the singulare. Yet King *Edwardes* Iudges pursuing the precise letter of the statut, were so scrupulous for the life of a man, that they durst not denie the benefite of the Cleargie to him that had stolne one horse. Wherevpon the wise of Englande (whom wee are more to regard then any done man) made a newe lawe, *That whosoener stole any horse, should not be admitted to his cleargie.* These Iudges that would not wrest a lawe one haire breadth against a horse stealer, would haue bene as fauourable to honest Christians. But some thinke that we haue cheuerell lawes that may be racked and stretched at mens pleasure, whereas penall lawes that touche mans life, haue bene alwayes expounded in a most strict sence.

*Penall lawes
not expounded
by equity or
inference.*

c 1 *Mar. Diet*
pag. 99.

d *Plowd. Co-*
ment. pag. 467

This statute of 23. is a penall lawe, concerning the body & life of man. The expresse syllables and wordes directed onely against them *that diffame hir Maiestie that nowe is*. There is

not one prick pointing at the *Queenes* lawes or state of Bb. Therefore it is to be taken strictly of the *Queene*, against whom the Seekers of Reformation haue not written, and by consequent haue not infringed this statute.

The *Queene* a
body politike
in fiction only.

5 Hir Maiestie is a bodie politike, and hath members politike in fiction onely and in politicall imagination: not in trueth and veritie. In like imagination the lawe sayeth, *Shee can not doe wronge, shee is alwayes of perfect age, shee is not subiect to any passion, shee can not bee imprisoned, sicke or die.* Things in themselves vntrewe. Therefore he that diffameth hir members politike, doeth diffame hir Maiestie onely in fiction, that is in plaine english, not at all.

The oppugners
of the Elders sh.
by consequence
felons. &c.

6 If they that write against the state of Bb. diffame hir Maiestie that vpholdeth it. Then doe they that call the gouernement by Elders, antichristian, a popedome, &c. diffame the *Queene* also. For hir Maiestie hath authorized, or at the least openly and notoriously tollerated the gouernement by *Elders* in forraine Churches that haue fled for succour into hir Dominions, and haue bene admitted to vse the gouernement by Elders, euen as our fugitiues in *Queene Marias* time founde like libertie and fauour in strange nations.

e Remonst.
Sutcliff &c.

No treason to
kill Bb.

7 If they that diffame the *Queenes* members politike, diffame the *Queene*, then they that take awaye the life of hir members politike, commit treason against the *Queene*. The same reason (*ceteris paribus*) maketh the same lawe. But euerie puisne knoweth it is no treason to kill the Bb. though it bee worthilie treason to attempt any hurt to hir Highnes. Therefore the diffamation of the Bill. is no diffamation of the *Queene*.

The *queene* &
lawes may erre

8 All men belyers. Churches, Vniuersall Councells, Parliamētes, and lawes of all Nations doe controll one another. Therefore it is no diffamation to hir Maiestie, if men ascribe error in some of hir lawes, seeing it is incident to all men to erre in some thinges. Though Princes bee called f Gods, yet as they die, so doe they erre like other men. *Homines sunt mendaces & non Angeli: Men be lyers, they bee not Angeli,* sayeth a *Iustice Shelley*.

f Ps. 82. 6. 7
1. Cor. 3. 5. 6.

To kill a sub-
iect toucheth
the *Queenes*
crowne more
then to write
against Bb.

9 If you doe offer violence to the most base subiect in this Realme, you doe preiudice the *Crowne* and dignitie of our *Soueraine Lady the Queene*: yet if you diffame them, it is no diffamation of the *Queene*: the murthering of them is onelie felo-

a 34. H. 3.
Dier. pa. 54.

b Forme of
inditements,
Smith de rep.
Angl.

felonie, though by estimation of lawe, their life doeth more neerely touche the Crowne, then can be shewed for the state of Bishops.

10 If the diffaming of the Bishops and Queene be all one, punishable by one lawe and one penaltie, then the lawes defende the name and credite of a subiect with as great care as the name of the Queene. Which were absurde in the lawe, and a presumptuous challenge in any subiect, that doeth not represent the person of the Queene.

The lawe tendeth the honor of Princes more then subiectes.

11 If the writers against the gouernement of Bishops do *maliciouſlie diffame the Princes* that beare it vp, then doe they *maliciouſlie diffame the Dukes of Saxonie, and Hie Almaine,* that mainteine the state of Bishops, as our ^c Prelates say.

The Princes that mainteine the Bish. state not diffamed.

^e Admonit. against M. M. pag. 74.

But it were madnes to say, that they write aduisedly & maliciously to diffame these Christian Germane Princes, who neuer harmed them, much lesse our Soueraine Ladie the Queene, by whom they haue receyued incomparable benefites, and who hath bene more beneficiall to the church then anie Prince or Potentate in all the worlde.

12 They that write to diffame the Queene, should die as felons by this statute.

No man hath suffered for religion in Eng.

^d Epist. to the Read. before his booke.

None that writeth against the gouernement of Bishops, ought to dye as a felon. For they can make that but an errour in Religion at the worst: for writing is not materiall to make an error or not an error. The papists (sayth D. Bilson) ^d bee not executed for making the Pope chiefe pastor ouer their soules, or for giuing him an Episcopall authoritie ouer all the whole Church, though that be also a frantike heresie: but for giuing him an externall dominion ouer this Realme and Prince, This is it that the Execution of Iustice doeth duely respect, which is farre from any matter of faith and religion. Thus you see he mainteineth that the papistes haue not nor doe not suffer for religion or heresie, but onelie for treason. The Christian ^e Emperours Gratian, Theodosius, &c. neuer punished heretikes with death, but onelie blasphemers and idolaters. They that holde errors should not be killed, but corrected, saith ^f Augustine. And in another place, ^g It neuer pleased any good man in the Catholike Church, that heretikes (much lesse such as erre in externall matters) should be put to death. Thus it hath bene reasoned by our Diuines against the butcheries of the papistes. It is also helde in a ^h booke published by authoritie (to which D. Bilson had reference).

Papists die for treason not for religion.

^e Cod. de heret. & Mani.

^f Epist. 127.

^g Cont. cres. haret. l. 3. c. 10

^h called, The execution of iustice in Eng.

ference) and translated into many languages, that neuer any papist did suffer death for his religiō, since hir Hignes raigne. Which thing the Papists in *Wysbich* castell can also wirtlesse.

Seeing then our state and Diuines haue sought to remoue from them the suspition of executing any papists for their religion, (though they defende infinite heresies) much lesse should the Seekers of Reformation suffer death for their religion. If the papistes ought to be executed, but of fauour and grace are spared, much more curtesie should bee shewed to Seekers of Reformation, whose offences both to God, the Prince and Realme, are nothing matcheable with the detestable heresies and practises of the traiterous papistes. Verely all the Protestants in the world would wonder to heare that among Protestantes vnder a Protestant Prince and gouernement, any protestant should haue his bloud shed for maintaining a doctrine of the Protestants, imbraced by Christian Churches, and confederate Princes round about.

Speakers against the
lawes.

Deliuers of
popish bookes
or others.

13 If the writers against Bishops doe offend against this statute, then the Speakers & Reporters against Bishops and the publishers or deliuerers from hande to hande of these books or any popishe bookes against the receyued doctrine of Englande, be likewise within this statute. The Speakers and Reporters muste eyther loose their eares, or redeeme them with two hundred pounds, or two hundred markes. The publishers are adiudged and deemed felons. But it were ridiculous to affirme, that the lawe had anie such intent. For then there should be more careles people in Englande, then in all Christendome besides, and many thousandes of the Bishops friendes should be in case of felons. Which would comforte the writers, when they sawe like iustice done to Speakers, Reporters, and publishers. For the Poet truely saith:

Solamen miseris socios habuisse doloris.

It cheereth vp a wofull heart,

When company doe beare a parte.

Seeing then that the Speakers, Reporters, and publishers of such matters against Bishops, are not within this statute, neither be the writers.

That is lawe
which the law
makers intend

14 That is onely a lawe which the law-makers intende. *a Com. p. 467*
The Law-makers did not intende by this statute to protect *or 487.*
the Hierarchie. For there was no bill preferred in the Parliamēt at that time to this purpose: but rather for the ouerthrowe

throwe of the Hierarchie. As many yet aliue can witnesse, who would with great vehemencie haue spoken against that matter for their owne and their friendes safetie.

When Maister Stubbs of Lincolns Inne had written against the mariage intended by Monsieur, the Daulphine of France, towards hir Maiestie, to the ende that men should bee terrified from writing dishonorably of hir Highnes, this statute made that offence felonie, which by former statutes was onely the losse of the right hande. Which proueth that the law-makers prouided for hir Maiestie, not for the Hierarchie. The Parliament hath bene more readie for Reformation then against it, as appeared most euidentlie the last Parliament, when the bill against Nôresidencie passed the lower house, and had like to haue also passed the higher house, by the right honorable the Lord Treasurer his meanes, and other right noble Lordes who spake for it, had not the Bishops laboured against it.

Vpon what occasion the stat. of 23. was made.

The Parliament rather friend then enimie to Reformat. A bill against Nonresidence passed the lower house.

15 Some of the lawes be faultie, euen in Church matters, as our Prell. (not popish) will acknowledge, reporte, and write if neede be. There was a ^b lawe made by King Henry the 8. and confirmed by hir Maiestie, *That such Canons, Constitutions, &c. which be not contrariant to the lawes statutes, & customes of this Realme, nor preiudiciall to the Kinges prerogative, shalbe executed as before the making of that act.* Among whiche Canons, &c. there be many vnlawful & foolish things, though neither against the lawes, customes, or kings prerogative, yet repugnant to the lawe of God. As namelic, *That women may not sue their husbandes for adulterie: that ^d Heretikes after their death, should be excommunicate: that there is such ^e affinitie betweene the Godfather and the childe, for whom he promisseth in baptism, that it hindereth mariage: that a ^f man may not fast upon Thursday, That all ^g Clerkes should absteyne fro fleshe 7. whole weekes before Easter.* Infinite corruptions be in these Canons, yet in force and good in lawe. I suppose that our Bb. could be content that this statute of 25. were corrected. Sure I am, the Bishops in King Edward the 6. dayes, did see many things out of order in the Canon lawes, or else they would not haue a whole ^h booke for Reformation of them, which booke can haue no intertainement in our time. But seeing the Bb. will not denie but that some abuses be established for lawe, lette them beare with others that espic greater faultes then those bee.

^e This is contrarie to the Scripture, Mark 10. 12. See Hooper upon the 7. commandment

^b 25. H. 8. c. 1
19. 1. Eliz. c. 1

^c 32. q. 1. c. 1
apud.

^d 24. q. 2. c. 1
ult.

^e 30. q. 3. Pyth.
^f Diff. 3. de
Panit.

^g Gl. in verb
Supra vir. c.
illud. 20. q. 3.

^h Reformat.
Ll. Eccles.

16 Lastly, many haue written both against the state of the Church and common wealth as it was and is fenced by lawe who were neuer accounted diffamers of our Princes.

Some write against ⁱTriall by battell. Some against ^kForfeiture of Traytours landes, *The returne of Writtes in one terme: the lingring of men in prison before they come to tryall: the priuiledges of Parliament men: the pardoning of murtherers: pluralitie of farmes, &c.* Some against ^lRacking. Some against ^mfeined recoveries to defeat them in remainder, or reuerfion upon estates tail. Some against ⁿbuying and selling of Wardes, and such like.

Against the gouernement of the church in England, manie subiects haue written, neuer deemed diffamers of the King, as

Many English
protestants haue
written against
L.B. and yet
were not deemed
diffamers
of Princes.

In *Edward* the thirds reigne did ^oWicleve arise, one of whose articles was this, *That Popes, Cardinalls, Bishops, or other Priestes, may not ciuilliter dominari absque mortali peccato, may not rule like ciuill Lordes, without deadly sinne.* Also he taught, ^p*That no Prelate ought to haue any prison to punishe offenders. And that no King should impose vppon any Bishop or Curate any secular matter, for then both the King and the Clearke should be proditor Iesu Christi, a betrayer of Christ Iesus: although the Archbishop of Cant. and the Bishop of London did put Wicleve to ^rsilence for this doctrine (as their successours do at this day) yet they did not call him a diffamer of the king.*

Wiclef.

Swinderby.

William ^sSwinderby, a professour of the Gospell vnder *Rich.* the seconde, helde, *That the more Lordship a Priest hath, the neerer he is to Antichrist.* Also, that ^a*The Priestes of the old lawe were forbidden Lordship, and that Christ him selfe refused and forbad his Priestes Lordships, saying: Reges Gentium, &c. The Kings of the Heathen beare rule, &c. but you shall not doe so.*

Piers Plowman.

Piers Plowman likewise wrote against the state of Bishops, and prophecied their fall in these ^bwordes:

A prophery of
the fall of Bb.

*If Knighthood and Kindwite and Comone by conscience
Together lone Lelly, leueth it well ye Bishops
The Lordship of Landes for euer shall ye lese,
And line as Leuitici as our Lord ye teacheth
Deut. 8. Numb. 5. per primitias & decimas, &c.*

Geffrey Chan.
against L. Bb.

Geffrey ^cChaucer also in *Henry* the fourths time wrote effectually against the state of the Bb. in this maner:

The Emperour yafe the Pope sometime

ⁱ Smith de rep.
Ang. b. 2. c. 7. b
^{3. c. 3.} Babing.
up. com. p. 260
^k Roder. Mor.
compl. to the
Parl.
^l Fortesc. de
land. Ll. Ang.
c. 22.
^m Doct. &
stud. b. 1.
ⁿ Kk. title to
Scoll. Smith de
Rep. Ang. b. 3.
c. 6. Roder.
More. 5.
^o Walsin. in
R. 2. pag. 205.
^p Wal. in E. I
^q Wal. in R. 2
^r Wal. in R. 2
pag. 188. silen.
sibi indicere.
^s Act. & Mo.
pag. 451.
^a Act. and
Mon. p. 453

^b Passus 15.
Z. III. b.

^c Plow. tale.

So his Lordship him about,
 That at the last the silly Kime
 The proude Pope put him out:
 So of this Realme is doubt.
 But Lords beware and them defende,
 But nowe these folke bene wondrous stoute
 The Kinge and Lords nowe this amend.

A canoat for
 Englande.
 The Nobilitie
 haue bin out-
 braued by the
 pride of lord B.

Moses lawe forbade it tho
 That Priestes should no Lordships weld.
 Christes Gospell biddeth also
 That they should no Lordships held:
 Ne Christes Apostles were neuer so bold
 No such Lordships to hem imbrace
 But smeren hir sheep and keep her fold,
 God amend hem for his grace.

Thus wrote this famous Poet against the English Bishops,
 and yet was neuer accounted diffamer of the Kinge, though
 the Bb. in his time did holde their Lordships of the Kinge as
 they doe nowe in England. Sir Geffrey Chaucers his workes
 were in K. Henry the eight his dayes authorized to bee prin-
 ted by d Act of Parliamēt, to which that glorious king would
 neuer haue condescended, if hee had thought that the diffam-
 ation of the Bishops had bin a diffamation of him selfe

d 34. & 35.
 H.8.c.1.

e Tindals
 Works p.124

f p.140.

In King Henry the eights time, the renowned professor of
 the Gospell Maister Tindall did write, e That it was a shame of
 all shames, and a monstrous thing, that Bishops should deale in ci-
 uill causes. And againe, f What names haue they? My Lord Bb.
 My Lord Archbishop, If it please your Lordship, If it please your
 Grace.

Tindal against
 Lord Bb.

g Tin. Works,
 p.210.

D. Barnes, a right learned man at the same time did write,
 g That he would neuer beleene nor could ever beleene, That one ma
 may by the lawe of God be Bishop of two or three cities, or of a
 whole Countrie, for that is contrarie to the doctrine of S. Paul, &c.

Barnes against
 Ll. Bishops
 He witnessed
 this article
 with his blood

h Vpon the
 com. p.78.

Maister Hooper in the dayes of Edward the sixt did effectu-
 ally write, h against the English Bish. For the space (saith he)
 of 400. yeares after Christ, the Bb. applyed all their witt onely to
 their owne vocation, but our Bb. haue so much witt, that they can
 rule and serue (they say) in both states, in the Church and also in
 the ciuill policie: When one of them is more then any man is able to
 satisfie, let him doe alwayes his best diligence. If he be so necessa-

M. Hooper the
 Martyr a-
 gainst ciuill
 officers in Bb.

M. Hoop. bla-
meth Princes,
and yet account
ed no diffam.
of them.

rie for the Court that in ciuill causes he can not bee spared, let him
use that vocation and spare the other. It is not possible he should doe
both well. It is a great ouersight in Princes thus to charge them
with two burthens. If this excellent & right famous man were
nowe aliue and should say thus much, hee might peraduen-
ture (if some had their will) be martyred once againe. Hee
addeth further, That the primitiue Church had no such Bb. as
we. They had such Bishops as did preach many godly Sermons in
lesse time then our Bb. horses be a bridling. Their house was the
schoole and treasure house of Gods Ministers. If it be so nowe, let
euery man iudge. The Magistrates that suffer the abuse of these
goods, be culpable of the fault. If the fourth parte of the Bishop-
rike remained to the Bishop, it were sufficient, The thirde parte to
schoolemaisters. The seconde to the poore and soldiers were better
bestowed. If any be offended with me for this my saying, he loneth
not his owne health nor Gods lawes nor mans. Out of which I am
alwayes readie to proue the thing I haue saide to be true. Further,
I speake of loue not hatred. This was writte by this noble Mar-
tyr against the protestant Bb. vnder King Edward the sixt. In
these wordes he doeth not obscurely reprove the King & all
Princes that mainteine the state of Bb. yet neither the Bb.
nor Iudges in King Edwards. time did adiudge this holy man
to be a diffamer of princes. His bookes touchinge this matter,
haue bin publikelie printed and solde, and euen nowe are to
be solde vnder hir Maiestie.

M. Latimer
against lord.
ship of Bb.

Father Latimer another man of God and holy martyr was
a Bishop in King Henrie the eight his time, but he^a gaue o-
uer his Bishoprike (as also Shaxton, Bishop of Salisburie did
at the same time) being diuested of his Bishoplike habite, he
skipped for ioy, (as Maister Foxe reporteth) feeling his shoul-
ders so light, and being discharged (as he said) of so heauie a bur-
then. Thus he speaketh of the Bishops in King Edward the
sixts dayes, in his sermon of the ploughe, ^b *Te that be Prelats,*
looke well to your office, for right Prelacie is busie labouring and not
Lording. Thus much I say, that since Lording and Loitering hath
come vp, preaching hath come downe, contrarie to the Apostles
times. They preached and Lorded not: And nowe they Lord and
preache not. They that be Lords will ill goe to ploughe. It is no
meete office for them. ^c *If the ploughmen that nowe be, were made*
Lordes, they would cleane giue over ploughing and fall to Lording
out right, and let the plough stande. By the loytering and lording of
Pre-

Lording and
loitering goe
together.

a Act. and
Mon. p. 1634.

b Sermons
printed 1584.
pag. 11. b.

c pag. 12. a

d pag. 12. b.

Prelates, preaching and plowing is cleane gone. d They are occupied some in the Kings matters, some are Embassadors, some of the privie Counsell, some to furnish the Court, some are Lordes of the Parliament, some are Presidentes and Controulers of Mintes.

e pag. 13. a

Well, well, is this their duetie? is this their office? If the Apostles might not leaue preaching to be Deacons, shall one leaue it for minting? e Heare my country Englande, as Paul said in his first Epistle to the Corinthians 6. chap. Is there vterly among you no wise man to be arbitratours in matters of iudgement? What none that can chuse betweene brother and brother? &c. *Ad erubescitiam vestram dico*, I speake to your shame. So England?

Bb. should not be Ll. of the Parliament, or of the Councell

M. Latimer accounteth a dishonour to the Realme, that Bb. deale in ciuill causes.

f pag. 13. b.

speake to thy shame, Is there neuer a Noble man to be a Lord President, but it must be a Prelate? Is there neuer a wise man in the Realme to be a controuler of the Minte? I speake it to your shame. I speake it to your shame. If there bee neuer a wise man, make a Waterbearer, a Tinker, a Cobler, a Slaue, a Page controuler of the Minte. Make a meane gentleman, a Grome, a Yeoman, make a poore begger Lord President. This I speake not that I would haue it so, but to your shame, if there be neuer a Gentleman meete nor able to be Lord President. f It is a slander to the Noble men, as though they lacked wisdome and learninge to bee able for such office, or else were men of no conscience, or else were not meet for such offices. A Prelate hath a charge and a cure otherwise, and therefore hee cannot bee both a Lord President, and discharge his duetie too. For a Presidentship requireth a whole man, & a Bishop can not be two men. Let the Priest preache, and let the Noble man handle temporall matters. Then he proceedeth and telleth who is the most diligent Bb. in all England, euen the Dinell, who is alwayes in his Cure and Dioces, keeping alwayes Residence. h He is no vnpreaching prelate, He is no lordly loyterer from his cure, but a busie ploughman: Therefore ye vnpreaching prelates, learne of the Dinell to be diligent in doing of your office. Learne of the Denill if you will not learne of God, nor good men. Eor shame learne of the Dinell. *Ad erubescitiam vestram dico*, I speake it to your shame. And in a Sermon before the King: Though I say that I would wishe moe L. Presidents, I meane not that I would haue Prelats lord Presidents. The office of a Presidentship is a ciuill office, and it cannot be that one man should discharge both offices well. Thus Puritan-like wrote Farther Latimer, the famous martyr, yet hee was neuer esteemed a troubler of the state, a Mar-prince, and a diffamer of the Kinge,

g pag. 14. a.

h pag. 24.

Residence. h He is no vnpreaching prelate, He is no lordly loyterer from his cure, but a busie ploughman: Therefore ye vnpreaching prelates, learne of the Dinell to be diligent in doing of your office. Learne of the Denill if you will not learne of God, nor good men. Eor shame learne of the Dinell. *Ad erubescitiam vestram dico*, I speake it to your shame. And in a Sermon before the King: Though I say that I would wishe moe L. Presidents, I meane not that I would haue Prelats lord Presidents. The office of a Presidentship is a ciuill office, and it cannot be that one man should discharge both offices well. Thus Puritan-like wrote Farther Latimer, the famous martyr, yet hee was neuer esteemed a troubler of the state, a Mar-prince, and a diffamer of the Kinge,

Bishops sent to learne of the Dinell.

i pa. 61. b.

Eor shame learne of the Dinell. *Ad erubescitiam vestram dico*, I speake it to your shame. And in a Sermon before the King: Though I say that I would wishe moe L. Presidents, I meane not that I would haue Prelats lord Presidents. The office of a Presidentship is a ciuill office, and it cannot be that one man should discharge both offices well. Thus Puritan-like wrote Farther Latimer, the famous martyr, yet hee was neuer esteemed a troubler of the state, a Mar-prince, and a diffamer of the Kinge,

M. Latimer a
mar-prelate.

It is allowed
by authoritie
to speake a-
gainst Bb.

Writing for
the governmēt
by Elders, re-
ceyued and al-
lowed in Eng.

though in deede he was a *Mar-bishop and Mar-prelate*. His Sermons contayning this matter, are publikelie to bee solde with authoritie, testified in these wordes: *Seene and allowed according to the order of the Queenes iniunctions*. And ^k Matthew ^{Eng. treat. pag. 180.} Sutcliffe saith, That bookes which passe with this approbation, do cōteyne nothing cōtrarie to the State of this realme. Therefore it were straunge that the Seekers of Reformation should suffer as felons, for writing against the ciuill offices of Bishops against their authoritie in the Parliament, in the Councell, and such like ciuill places, seeing writings to that effect be seene solde and allowed as not preiudiciall to our estate, neither diffamatorie to hir Maiestie.

Maister Nowell in his Catechisme, ^a fully grounded on Gods worde, and receyued and allowed by the church of England (as the Bishops say) and ^b commaunded to be learned of Ministers, & taught of all scholemaisters, doeth write thus of the Eldership: ^c *If the Church were well ordered, there should be in it a gouernement by chosen Elders or ecclesiastical Magistrates, such as was in the primitiue Church*. Shall men suffer as felons for such things as are fully grounded on Gods worde, & receyued, allowed, and cōmaunded to be taught in the church and schooles of Englande? The Lord forbid. Doctor Rainolds the iewel of Englande, publike professor of Diuinitie in Oxforde, at the appointement and charges of the right vertuous and noble Earle of *Effex*, did alleadge in open sermon at Oxford, this testimonie of Maister Nowell, to proue that men by authoritie might speake in defence of gouernement by Elders.

To be short, I haue shewed that my L. of Canterburie, and the other Bb. That D. Cosins and the aduertiser, doe in writing reprove many things contenauced by lawe, as excomunication by lay Chancelours, Nonresidence, ignorant ministers, the milde punishment of Adulterie, Subscription, and such like, and yet these men be not deemed, indited, conuict or attaint as diffamers of hir Maiestie, and felons by this Statute. Such be our times, that *Isdem de causis alij plectantur, alij ne appellantur quidem*.

Thus much may serue touching the accusation of diffaming of our Soueraigne Ladie the Queenes moste excellent Maiestie. Nowe it remaineth to consider howe iustly the writers for Reformation be charged with rebellion.

Wher-

^a Admonit.
against Mar.
May. pa. 66
^b Bb. artic.

^c Catech. in
Lat. in 40 pa.
155. & pa. 9^a
compared.

WHereas the aduersaries to Reformation do take as a principle, that *whofoener writeth to work a discontentmēt in the mindes of the subiects, doe intend a rebelliō* That is a most vntrewe assertion, & sophistical paralogisme. For although Rebelliō doth grow of Discontentmēt, yet all discontentment doth not bring forth rebellion: or if the writinge against the state of Bishops should moue some men to discontentmēt, who being discontented should stirre vp rebelliō, yet it doeth not followe that the writers against the Bb. were rebels, as this stat. doeth intende. For the writers must write Aduisedlie and of purpose to stirre rebellion. So that if a man write in humble, loyall and duetifull maner, hauing no purpose and intent to work rebellion, though rebelliō should hereof insue, yet could not such a writer without great iniustice, be drawen within this statut. For he cannot be a felon that hath not a felonious intent and purpose.

Rebellion may
ensue of writing,
yet the
writing not
rebellious.

Job. 18. 10.

Christ by his preaching had wrought such a dislike of the Priests and their proceedinges in the mindes of his Disciples, that one of the in defence of his Maister did strike of the eare of Malchus, a seruant or pursuant of the high priestes: yet the Priestes did not charge Christ with

with this outrage of his Disciple. For albeit Christ did speake against the Rulers & Priests in his time, drawing after him many dislikers of that present state, yet Christ neuer meant to worke in mens mindes a discontentement which should bring forth mutinies or rebellion, but amendement and reformation.

In like manner these Seek. of Reformation haue descried many supposed abuses in the church gouernement: they beare vs in hand that there is another forme of ruling the church more agreeable to the Scriptures then this which we haue receyued. They write to lay open the faultes of the one, the necessitie and profit of the other, that the one being remoued by lawfull authoritie, the other by like authoritie might be entertained.

Why the people are acquainted with matters of Reformation.

For considering that hir Maiestie and Lordes without the Commons, can not by the order of our state reforme the abuses and imperfections of the lawes, it is requisite that the Commons of this land should be acquainted with the wants both of the Church and common wealth. For euery man & woman of this Realme is partie and priuie to all Actes of Parliament. Their assent is needfull to the making of euery lawe. In their name, and as their deputies the Knights and Burgesses are present, and haue voices in the Parliament. Nowe, howe should the commons, their Knights and Burgesses conceyue what is amisse in the lawes and state, but by publike writings for that purpose? That hauinge deepelie weighed and pondered what and howe things should bee reformed, they might be able in time of Parliament, after the law.

2. H. 7. 18. 7.
H. 7. 15. 3. & 4.
Ph. & Mar.
Dier. 144. 32.
H. 6. 18.

lawfull and laudable custome of this Realme, to take order for them accordinge to knowledge. A fewe dayes or weekes are not sufficient throughly to examine what may be saide, and what should be done in these matters.

Wherefore if these Seekers of Reformation should by publike writinge in duetifull and Christian sorte communicate to hir Maiestie, the Lordes and commons of this Realme the enormities of the state, to the ende that they in their Parliamentes should reforme the same, though some of the Commons should take occasion herevpon desperately and vndutifullie to rebell, yet the Seekers of Reformation could not iustlie be condemned as *advised and malicious mouers of rebellion*. Much lesse can their writings, which haue as yet neuer effected nor affected rebellion, bee deemed rebellious. Their writing for Reformation doeth rather prooue that they bee not rebels. For if they purposed a rebellion, they would rather tumultuouslie rise vp, and reforme things them selues, then write bookes to moue the Queenes Maiestie, the Lords and Commons in their Parliaments, to laye their handes to reformation.

*The Writing
for Reformati-
doeth proue the
writers to bee
no rebels.*

They that be not blinded with malice, do see well that the Ministers who seeke Reformation, doe preache true obedience to the Magistrates, with greater zeale and sinceritie then any Bishop in this lande. It is notoriously knowen, that they teache as an article of their faith, That no subiect or seruant ought to rebell against his Prince or Maisters, though he bee cruell and frowarde, but rather should meekely suffer oppression and violence at their handes. They teache that the lawes must either be performed by obeying them, or else the punishment, for not yeeldinge vnto them patientlie suffered and vndertaken.

*The seek. of
Reformations
detest rebellion*

Therefore, howsoeuer they write to bring a discontentment into mens mindes, yet they would not haue the subiect to intrude vpon the Magistrates office, much lesse to rebel against his Soueraine.

Furthermore, if all they that write to bring the people to a discontentment, and dislike of the authorized gouernement, doe write of purpose to moue rebellion, then doe the lawes, the Bishops, and whole state of Englande intende a rebellion. I proued that both the lawes & Bishops of this lande doe expect a further reformation, which can not be accom-

*Writings that
moue discon-
tentment, not
rebellious.*

plished, vnlesse hir Maiestie, the Ll. and commons be drawn to a discontentement and dislike of the present state. For amendment and redresse can neuer followe, but where discontentement goeth before.

Priviledged
bookes haue
wrought a dis-
contentement
at the autho-
ritie of Bb.

No rebellion to
make men dis-
like the Lord-
ship of Bb.

Likewise it is proued that the Church of Englande hath seene, allowed, and suffered to be printed and publicly solde b diuers bookes which doe speake most effectuallye against the state of Lord Bishops. I shewed that c bookes wherein the Lordship of Bb. hath bene condemned, haue bene allowed by expresse acte of Parliament. I shewed also, that the gouernment by Elders is approued in d bookes which are com- mended by the Bb. to be fully grounded vpon Gods word, which are commaunded to be taught and learned through- out this Realme. If it be rebellion to worke a dislike and dis- contentement in the state of Lord Bb. If it be rebellion to co- mende the reformed gouernement by Elders, then doeth the state of Englande intende a rebellion against hir Maiestie. But God forbid that we should thinke so dishonorably or dis- loyallie of our Christian State, though it hath wrought in mens mindes a dislike of the present Church-gouernement. If then this argument be vaine & friuolous against the state, why is it not so against the members and partes of the state?

b Latimers
Sermons.

c Chaucers
bookes.

d M. Newells
Catechisme.

I might adde here that all Printers who sell popish books and all others, who publish or deliuer from hande to hande any popishe or other booke that crosseth the present gou- uernement were felons by this statute, if this argument might haue place. I might also give a *caueat* to Maister Do- ctor *Percy*, that he doe not proceede in perfecting the booke which *Crammer*, *Cox*, *Haddon*, and others began, touchinge reformation of the lawes ecclesiasticall, least peraduenture he should drawe the people to be discontented with the lawes in force, and by that meanes incurre the penaltie of this sta- tute. I might also shew that they who hauing receyued great benefites of hir Maiestie, doe contrarie to the trust reposed in them, mainteine, preferre, and aduance notoriously sus- pected papistes, hollow-harted traitours, and close enemies to hir Highnes, hir Crowne and Dignitie, opposing themsel- ues against they knowe not what. I might, I say, shewe that those men doe prouoke a discontentement in hir Maiesties subiects, but I wil not stande herevpon. For whatsoeuer dis- contentement is raised in men, I knowe none that are false

in.

into such madnes, as to endeouour a rebellion. Neither can I conceyue cause of such feare, vnles we doubt that the popish sorte being encouraged by the aduancement of their friends, the disgrace of their greatest enemies, the passing by of them, and pursuing of others should increase in number, (as they doe, without question, mightilie) and then returne to their auncient rebellions and diuelish practises.

Thus much may suffice to be spoken to the generall argument vsed by the Bb. and their sollicitours, to proue the writings for Reformation to bee rebellious. Their reason is so sencelesse, that I maruell howe it can proceede from men of wisedome. I am ashamed to bestowe more labour vpon it.

The seconde accusation of writing *to moue rebellion*, concerneth particular speeches scattered here and there in some bookes, which I would not willinglie deale withall, sauinge that I haue resolved to open my mouth in the cause of the innocent, and to speake in their behalfe that are vnworthilie (in mine opinion) adiudged to death. Which trauell I would take as well for the Bishops as for the Seekers of Reformatiō, if they should come into the like perill.

The writers
for Reformat.
doe not intend
rebellion.

There neuer yet hapned any rebellion vnder hir Maiestie, by the instigatiō of them that write in the cause of reforming the Church-gouernement. But if any should write to the intent *to stirre rebellion or insurrection* (though no insurrection or rebellion therevpon ensue yet) they be felons by this statute. Now whether the authours aboue named haue written to that intent, that cometh next to be discussed.

We ought not to bring newe fences vnto wordes, but take that sence onely which the authour bringeth. To take the wordes without the sence, is to catch at the shadowe & leaue the bodie. Where wordes haue diuers fences, some good and some ill, by the rule of loue (vnlesse vehement presumption doe force the contrarie) we ought to take the better, & leaue the worse, especially in criminall and capitall causes: Because *the Gods of the earth*, I meane the Magistrates, ought after the example of the *God of heauen*, incline rather to mercie then iustice. Which is the reason that by the lawe ^a *The interpretation most beneficiall for the defendam should be accepted*. For it is ^b better to spare the guiltie, then take away the innocent, because ^c *Bloud being spilt vpon the grounde like water, can not be*

^a Semper in ff.

De Reg. iur.

14. H. 8. 14.

Fitz. Marroth.

sect. 8.

^b Tutiff. l. ab-

sent. ff. de pen.

Bract. lib. 2.

^c 2. Sam. 14.

gathered up againe: but a guiltie person spared at one time, may be requited at another. Wherefore it is needfull, that Euidences in cases of bloud should haue *Claritatem probationis in quadam excellentia*, A cleames of prooffe in an excellent brightnesse. If then there be no euidence of trueth to induce vs to interprete the wordes vrged by aduerfaries to Reformation of any rebellious intendement, then it will appeare, that the writers for Discipline bee not iustly drawen within this statute.

Mart. threat-
ning of fistes.

That which D. Bancroft alleadgeth of *Martine*, threatening of fistes, cannot in any equitie be drawe to rebellion. In d saying, *That D. Bridges* (for writing against the Reform.) would shortly haue *twentie fistes* about his eares more then his owne, hee meaneth nothing else, but that many would exercise their handes in writing against D. Bridges, which hath proued true. Thus he explaneth him selfe in his seconde booke: the wordes in our vsuall phrase importing such a matter. To vnderstand this, as if *Martin* did incite to insurrection or rebellion, is altogether without reason. Here is neither argument, exhortation, or denunciation, that implieth any motion to rebellion. *Martin* could not be so mad, as to imagine that such a light speach as this, were sufficient to drawe men to sedition: especiallie such men as holde for an article of religion, that it is altogether vnlawfull for any subiect to resist his lawfull Prince, that holdeth of no creature but the God of heaue. If *Martin* had bene an *Atheist*, or *Papist*, who by their religion may *Rebell against lawfull and soueraine Princes*, then there might be some colour of this accusation, especially if in itcede of *twentie fistes*, *Martin* had saide *twentie Halberds* as the Bb. of London doeth comment vpon him. Though *twentie Halberds*, much lesse *twentie fistes* could doe little to the raising of rebellion within Englande. Doubtles *Martin* doeth abhorre such horrible purposes: or if hee carry anie such minde, hanging is too good for him.

f Admonit.
ag. M. M.
pag. 65.

Reprooffe of
Mart. iunior.

Whereas *Martin Senior* speaketh of an hundred thousand handes and of striking, his wordes bee carried (as I am perswaded) altogether from his sence & meaning. In that place he exhorteth the Lords, Gentlemen, and people of England to be come ioint-suiters by one supplication to hir Maiestie, that in euery parish there may be a preacher so neare as may be: that vnlawfull callings may be remooued, and Christes of-

officers restored to the Church: that there might bee a quiet meeting for the debating of these controuersies, or that men might be suffered to sue the Prelates at the kinges benche, in cases where they abuse the subiectes against the lawes of England. He addeth, that there might be: procured *an hundred thousande handes to this supplication of knowen men in this lande all hir Maiesties most loyall and trustie louinge subiectes, that these together would strike a great stroke, especially in so reasonable and iust a sute.* These are his words. For opening of which I propounde this question, whether any man doeth knowe the meaning of these wordes better then the authour himselfe, which no man will affirme, as I thinke. Then looke further vpon the wordes that follow. He falleth into a discourse of the *Bishops English* (as he termeth it) shewing that they peruert by sinister exposition the ordinarie proprietie of our English phrase, whereof he giueth diuers examples, and at length commeth to this, That if a man should aske the Bb. what it were in their language, to preferre such duetiful supplication as before he had mentioned, to hir Maiestie, that they would make answer, that to deale in such a suite, were to rebell, to pull the Crowne of hir Highnes head, to make a factiō, to wrest the scepter out of hir Maiesties hande, and to shake off all authoritie. *A wonderfull thing* (sayeth he) *it is, that humble and duetifully to entreate, should in the English tongue signifie by vnbrideled force vnduetifully to compell: and that to seeke the remouing of unlawfull callings out of the Church, should bee to threaten that the lawfull Magistrate should be thrust out of the common wealth.* Thus farre writeth this *Martin*, explaninge fullie that though it was like the Bb. would peruert and misconster his wordes, as if he ment to moue rebellion, that yet notwithstanding he went about no other thing but to incline the magistrate by his owne authoritie to reforme all matters that were amisse. That an hundred thousand handes would strike a great stroke in this sute, hath no other sence then this, that if hir Maiestie should vnderstand, that an hundred thousande of hir most louing & loyall subiectes should subscribe to such a petition, it would greatly moue hir Highnes to accept the same. This phrase is vsuall and knowen to an English man. For we vse to saye, the *cause hath receyued a great blowe, or a great stroke.* So D. Bridges writing against Lordship of Bb. sayth, that *vos autem non sic, striketis dead*, that is, viter-

lie overthroweth Lordly authoritie in the Ministers. A man by wresting of such speeches as this, might make the best subject in this Realme, a very traytour, if his writing & speaking were well obserued. But let traitours be traitours, and rebels be rebels, and suffer as is due to traytours or rebels. God forbid that a Tropologicall or Metaphorical speech without intendement of anie harme, should come within the compasse of treason or rebellion.

Franc. Iunius
writeth no
treason.

Touching the wordes of *Franc. Iunius*, we desire *D. Cosins* to take a litle paines in shewing which *Franc. Iunius* he meaneth. If he vnderstande *Franciscus Iunius* the famous learned man, who with *Tremllius* translated, and of late hath reviewed the Bible, who hath also writtē a whole booke in defence of the Eldership and Discipline, hee doeth that worthie man exceeding wronge. It can not be proued that euer hee wrote any such thing. But if hee meane one who calleth him selfe *Stephen Iunius*, in a ^a booke against tyrants (whom peradventure it pleased *D. Cosins* of purpose to call *Franc. Iunius*, that men might suppose a louer of the Eldership, to be a fauourer of treason) I answer that this *Stephen Iunius* doeth not mention the Præsbyteries in all his booke. And whether he doth approue any such Eldership, it doeth not appeare: or if hee helde anie such frensie as *D. Cosins* fastneth vpon him, the Seek. of Reform. doe disclaime him.

a Vind. cont.
tyran.

Troubles haue
growen for
want of Refor-
mation.

That many thousands in Englande Desire the Discipline, is trewe. and the number doeth increase dailie. That great trouble would come of it if it were not admitted, hath appeared. For we see howe schismatikes doe trouble the Church, and what endles writing is on both sides, and all touchinge this Discipline that yet wanteth. But what is here that carieth the countenance of any sedition or rebellion, vnlesse *D. Cosins* thinketh there can be no trouble but in rebellious and warlike order?

The Scottishe
Ministers not
seditions.

D. Bancroft, not finding pregnant matter for his purpose at home to giue shewe that the Seakers of Reformation bee rebellious, he maketh raode into Scotlande, challenginge those Churches (as his friends the ^c Papistes had done before) That the Scottishe Ministers who fauour Discipline, haue abused their King, preaching factious and seditious doctrine, trading vpon his scepter, imitating the papall iurisdiction, labouring to establish an ecclesiasticall tyrannie of an infinite iurisdiction,

b Banc. Serm.
pag. 74.

c Ad persent.
Ang. procatho.
Respon. in lib.
de concertat. &
eccle. catho.
pag. 359.

put-

*putting the King in daunger of his life: wherupon the King ouer-
threwe their presbyteries, and restored the Bishops to their places.*

And galloping on the way in this order, he making in effect that right noble & Christian King (hir Maiesties most neere friende and kinsman) a flat hypocrite, grounding him selfe vppon a booke counterfait by the gracelesse Archbishop of St *Andrewes* in the Kings name. Wherevnto the King neuer assented, as the Minlsters can shewe by his Royall letters yet reserued in *Edinborowe*: the wicked Prelate since that time hauing sought to be reconciled to the Ministers whom hee flaudered. Which thing you may the rather beleue, if you consider that rhe King hath taken so good liking of the Ministers & the Presbyteries, that he hath made publike^d protestation to mainteine the same while he liueth, And to subiect the Nobilitie therevnto. Likewise when the King read *D. Banc.* booke, and came to the page 75. where the Doctor chageth him to be an hypocrite or dissembler, The King vppon the margent of the booke did write these wordes: *e My speaking, writing and actions were and are euer one without dissembling or bearing up at any time what euer I thought. Ergo, Casts the libell, ne quid asperius*, that is, Therefore the Doctor sayeth vntruely, that I vse no rougher wordes. Signed thus, *I.R.* that is, *Iacobus Rex, Iames the King.*

D. Banc. abuseth the King of Scotlande.

The King of Scotlande reprooneth D. Bancroft.

D. Banc. vseth popish objections.

More hurt to Princes by L. Bb. the Elders.

All traitours to the Queene haue fauoured the Hierarchie

d Booke printed by Waldegrane 1590.

e I. D. in a booke against D. Banc. prim. at Edinb. 1590

f Serm. pa. 78 & 79.

g Ad persecut. Angl. Respo. in lib. de concert. eccle. Catho. in Angl. pa. 330.

The same Doctor^f bringeth in some forraine authours whom he saieth were fauourers of Discipline, yet brochers of rebellious and straunge propositions. These authours did write either against such as they accounted vsurpers or Princes by election & popishe tyrants such as hated our religion: they did not write against any protestant Prince, neither in defence of the Disciplice, but rather of the doctrine which is nowe maintained in England. As *D. Bancroft* doeth alleadge these authours to proue the Discipline to bee trayterous and rebellious: so the spapistes do alleadge the same me to proue that the doctrine of the Protestantes is seditious. The allegation doeth holde against both alike. Our Religion doeth not depende vpon the opinions of one or two men. Where one fauourer of the Eldership hath written trayterously, I could produce fise hundred, who were maintainers of the Hierarchie and ranke traytors. Our English Bish. haue resisted, rebelled, and deposed many kings of England. They haue most sawcilie abused the Nobilitie, as might be shewed. I heare of

none

none that either attempted or effected treason or rebellion against hir Maiestie but papistes, & all such doe approue the principalitie and iurisdiction of Ll.Bb.

Thus farre haue I proued (as I hope sufficientlie) that it is not lawfull or agreeable to the trewe intent of this statute to iudge these writers for Reformation as diffamers of hir Maiestie, or rebels, and therefore that they ought not suffer as felons. Some haue helde, that though it be not consonant to the lawes of England, that the Bishops should presse the othe *ex officio*, as they vse to doe, yet that it is *expedient* they should continue their proceedings, as they haue begunne: if any in the same conceite should holde, that albeit it is not lawfull to execute the Seekers of Reformation as felons, that yet it is *Expedient*, I answere, that if such lawe be admitted, it will be the most daungerous and perillous practise that euer was receyued within this Realme of Englande. For neither the Prince, the Councillours, the Magistrates, Bishops, Iudges, or best subiectes can liue in securitie. If men may violate law and iustice vpon a colour or pretence of *Expediencie*: what endlesse milchiefes may insue vnto the common wealth? What kinde of president would this be to all succeding ages? To what purpose haue our auncestours prouided that there should be euery yeare or oftner a Parliament to supply the defectes of lawe, if vpon a surmise of expediencie men might goe beyond the listes and limites of lawe? If the reuerende Iudges of the lande, who ought to preserue the integritie, and honour of the lawe should admit any such learning, besides that it would ouerthrowe both the common and statute law, it would indaunger the keeping of their othe, and giue their goods, lands and liues to the Princes pleasure.

Some will expect that I should answer the charge against the writer of the Demonstration (if one man made both the Epistle and the booke which I haue not as yet heard to bee proued) but seeing he is conuicted by the verdict of 12. men, the proceeding against him notoriouslie known, the accusation and wordes wherevpon hee was conuicted in euerie mans mouth: I leaue it to the iudgement of the great day, when the Iudge & all Iudges shalbe iudged before the Iudge of heauen and earth, who will rewarde euery man according to that which he hath done, good or ill. ^a *Precious in the eyes* of the Lorde is the death of his Sainctes. ^b *O earth thou canst not*

The euidence brought for the booke: he conuicted for the Epistle.

The Almond for the Parrot saith, that M. Penny made the Demonstration, yet Mai. Vdall suffereth for it.

An admonition to all officers and Magistrates.

^a Psal. 116. 15.

^b Iob. 16. 18.

coner blood! It still cryeth in the eares of the Lord for vengeance, saying, *& Howe long Lord holy & true, doest not thou iudge and auenge our blood on them that dwell on the earth*: Surelie, he that preferueth the haire of the head, and putteth the teares of his seruantes into a bottel, will much more preserue in his bottell the drops of blood that fall from the bodies of his saintes. Therefore be warned, bee wise, and take heede what you doe, ye Iudges of the earth: It is one thing to deale with a theefe and murtherer, another thing to iudge a Minister & preacher of the Gospell of Christ your redeemer, and that in matters of religion, wherein (God knoweth) you haue small vnderstanding.

Thus haue I runne ouer the obiections made to proue the writers for Reform. & against the Hierarchie, to be diffamers of hir Maiestie and rebelles. I will proceede a little further to shewe that if men would bee curious in their writings that deale for the Bb. & if their words were a litle inforced as they might be (by M. Dolton or some such factor for the Bish.) I feare they might incurre the daunger of this statute as easilie as others.

*The Bb. and
their fanours
diffame the
Queene.*

*Admonit. ag.
M. M. pag.
252.*

The Bb. in their booke doe write, *That it is not lawfull to bestowe such linings upon lay men as are appointed by lawe to Preachers of the worde*. Though this might stande good, and yet ouerthrowe many of our Bb. states & honors who preach not the word, yet this doeth reproch hir Maiestie, who doeth imploy some of the Bb. liuings (oftentimes) to better vses the Bb. doe bestowe them. *M. Wicleve*, that famous protestant taught another lesson, *e Licet Regibus auferre temporalia viris ecclesiasticis ipsis abutentibus habitualiter*: It is lawfull for Princes to take from ministers their temporall linings, if they get a habite or custome in abusing them. And who will not thinke the superfluitie of a Bb. liuing better bestowed vpon such a man as *Sir Frauncis Walsingham*, that right honorable Councelor and benefactor of the Church and Countrie, then vpon anie Bb. that referreth all abondaunce to the advancement of his house and posteritie?

*Bb. May be
deprined of
their linings
abusing them.*

*e Walsing. in
B. 2.*

*f D. Bridg. de-
sence. pa. 448.*

D. f Bridges mainteineth in writing, *That a Priest may haue a moderate Lordly iurisdiction ouer all the Lords allotment & inheritance*. Which implieth an externall Lordly iurisdiction ouer hir Maiestie, vnles he will say, That she is none of Gods heritage, both which might be made a dangerous doctrine.

*A Lord ouer
hir Maistie.*

D. Bancroft writeth, ^g That hir Maiestie is a Pety pope, & ascribeth to hir all the iurisdiction that the Pope euer had by vsurpation. M. Jewell saith, ^h That the popish Prelates gaue K. Henry the 8. the strange and vnused title of head of the church, to bring him into the slander and talke of the world. And the Parliament for auoyding scandale, changed the title of *Supreme head*, to *Supreme Governour*. If Maist. Jewell misliked that the Queene should be called *Supreme head*, what would hee haue thought of *Pety pope*? or how can the Parliament beare this? Doe not the Protestants detest in the pap. their woman pope? The Archb. of Canterb. would bee displeased (and I can not blame him) if a man should call him Pope. Norwithstanding the Pope said of one of his predecessors, ⁱ *Includamus hunc in orbe nostro tanquam alterius orbis Papam*: Let vs include this Anselme in our world as Pope of another world, meaning great Britaine, called by the auncient writers a world by it self, yet it is thought nothing to call hir Maiestie a Pety pope. Doctor ^k Whitakers sayth, *That the Name, authoritie, and person of the Pope, all Protestantes doe abhorre and accurse to the prince of darknesse whence it came. The^l papistes doe slander hir Maiestie to be a Pope or Pety pope: but M. Nowell^m telleth the papistes, and D. Bancroft also, That we doe not teache that the Princes be either Popes or Pety popes. Theⁿ papistes also doe abuse hir Highnes, as D. Bancroft doeth, saying: That we take the Supremacie from the Pope, and giue it to the Prince. But Doctor Rainolds^o answereth, That the Supremacy which wee take from the Pope, we giue to no mortall creature, Prince or other. But D. Banc. who thinketh him self a great Clerke, as if he were a deeper Diuine then either M. Nowell or M. Rainolds (whom he vseth to call a *Precisan*) maketh hir Maiestie a Pety pope, and assigneth hir not some of the Popes power, but ALL honors, dignities, preeminences, iurisdicions, priuileges, authorities, profits and commodities, which by vsurpation did at any time appertaine vnto the Pope. If a man can diffame by foolish flatterie, then D. Banc. is the most notorious diffamer of hir Maiestie in all England. Neither lawe, reason, religion, or good manners doeth warrant this.*

God forbid that like extremitie were extended for these faultes, as hath bin vsed against the Seek. of Reformat. I doe not recount them for that purpose, but onely that the Bb. & their friendes, seeing their owne case (if hir Maiestie were

not

g D. Banc.
firm. pag. 68.
lin. 19.

h Dofence
Apol. p. 70. 4.

Archbish. of
Cant. pope.

toto diuifos
orbe Bbitan
nos, Virg.

The popes au-
thoritie not gi-
uen the Queen

The Bb. wor-
thy blame for
suffering such
things to passe

i AB. & Mo.
pag. 188. Com.
Baronnens.
Lambert. per-
amb. of Kent.
k Anfw. to
Rainolds, p. 12.

l Hard confu-
of the Apolog-
pa. 298. 299.
Strapl. Doff.
Princ. l. 5. c.
17. & 18.
m Dorm, Re-
pro. pag. 12.
n Sand. Rock.
pag. 382. Eng-
Sem. 5. 4. f. 21.
Or.

o Confer.
pag. 674.

Sermon.
pag. 70.

To HER MAIESTIE: 51
not mercifull) may deale more curteouslie with their brethren.

Conclusion.

Considering the doubtfulnesse of these controuerfies, I trust your Maiestie will take some good order for the peaceable debating and compounding of them. In the meane time we hope that these things which are here written, beeing well weighed, your gracious and tender hart will neuer suffer one drop of bloud to fall to the ground for these causes of Reformation, till it euidently appeare where the fault lyeth.

This is the intent of this humble petition, made onely for the peace of this Church & quiet of the Realme. Which two things it behoueth all Christian subiectes to aduaunce forward with their whole endeouour.

The God almightie, who to the great wóder of the world, hath most miraculouſlie defended and deliuered you from all the cursed enterprises against your Realme and person, preserue your Maiestie many yeares in health, honor, prosperitie, and victorie to his glorie, the good of his Church, the reliefe of his Saints, to the ioy of Englande, and all Nations that professe the trueth, A M E N good Lord, and cursed be he from heauen, that sayeth not from the heart, A M E N, A M E N.

G 2

To

Copyright

To

To the ende that it may appeare how
vniustlie the Seekers of Reformation are
slandered by the Bishops and others, I thought
good brieflie & truly to deliuer the opinions of such
as sue for Reformation, which I haue
gathered out of their bookes, and
seene in their practise, & heard
in cōference which I haue
had with them.

I.

THEY openly professe and acknowledge that they
be sinfull men, subiect to infirmitie as well as others.
They doe not call or account them selues *Cathari* or *Puritanes*,
& therefore if *Augustine* say trew, that *Cathari*
sunt qui seipsoz isto nomine quasi propter munditiem, superbis-
simè atque odiosissimè nominant: They be *Puritanes*, That in
conceit of their owne puritie, doe most proudly and odiously
call them selues by that name, then without question they be
no *Puritanes*, vnles in that sence that all the Apottles (saue
Iudas) and all other trewe Christians are called *Katharoi* or
Puritanes in the Scriptures.

*August. de ha-
res. ca. 38.*

*Ioh. 13. 10.
15. 3. Ti. 2
14. Eph. 5. 16*

13. Eliz. c. 12

2 They doe absolutely yeelde and subscribe to all the ar-
ticles of Christian faith and doctrine professed in the church
of Englande, according as they bee inioyned by the lawes of
the lande: and therefore they doe not offende against the
Statute made in the thirteenth yeare of her Highnes raigne,
and withall haue open iniurie in being called schismatikes.

3 They doe vnfeinedly giue to her Maiestie all that pow-
er, soueraintie, and authoritie whatsoever is recognised to

Puritanes.

*Christian
faith.*

*Church of
Englande.*

Allegiance.

Princes supre-
macie.

be in her Highnes, by the othe of the Supremacie, as her Maiestie and the Parliament haue expounded it: and therefore they be not Traytours by the statutes of *primo* or *quinto* of hir Maiestie.

1. Eliz. cap. 2
Admonit. annexed to the
Queenes inis.
5. Eliz. c. 1.

Obedience to
Magistrates.

4 They professe all submission, reuerence and obedience to the right Honorable the Lordes of the priuie Counsell, the Iudges, and all other ciuill Magistrates of this state, honouring them as Licutenants of God and her Maiestie: and therefore they be not Anabaptists, who would abandon the authoritie of Magistrates and distinctions of states among Christians. And although they beleue that it is not agreeable to the doctrine and example of Christ, and his Apostles, that Bb. and Preachers should accept temporall Lordship, and ciuill authoritie, yet they honor that authoritie which is deriued to them from her Maiestie, in regard whereof they submit them selues to be conuented, imprisoned, fined, &c. by them: much lesse will they with force and armes resist or rebell against her Maiesties most lawfull authoritie, eyther in her selfe, or being deputed to others who are not disabled by Gods worde to vse it: and therefore they bee not within the statute of *vicefimo tertio* of *Raising rebellio against her Highnes*.

M. Cartw. and
the rest in
all their proceedings.

Oth ex officio.

5 They hold it lawfull and necessarie, before Magistrates to take an oth being called therevnto, so that the oth (being a matter highly concerning the worship of God) bee guided & taken as the Scripturs allowe, that is, not in vaine, where a matter may be otherwise proued by sufficient euidence or witnesse: nor yet rashly, as swearing to answere they know not to what, or before the Articles which they must answere vpon their oth, be made knowne vnto them.

Petition exhibited by M.
Fen. and
others.

Temporall
Courts.

6 They seeke not to pull downe the Courts of Iustice, as the high Court of Parliament, the *Star Chamber*, the *Kings Benche*, the *Chancerie*, or any of the rest, but they desire they may stande as they doe, sauing that Bb. & Ecclesiasticall persons should be shut out from them, & set to preach the gospel, and followe their owne vocation, not being charged with other offices, vnles they were sometimes called in weightie difficult causes, to giue counsell and aduise what may or should be done by the worde of God.

Publik proclamation
in books
and sermons.

7 They denie not but that matters of *Testamentes* and *Abstram*,
Ma.

Marriages may be detetmined by Ciuilians in their courts (if it seeme not good to the Parliament to transfeere these things to the temporal Lawiers) alwayes prouided, that their Courts may be made meere tēporall, not intermedling with the Church Censures: prouided likewise that the Bb. or other Ministers haue no dealing therein: prouided also that causes may be iudged there, not by popes lawes, but by the worde of God, the laudable Customes, Statutes, Iniunctions Synodall, and Prouinciall Constitutions accepted in this Realme, agreeable to the word of God, and established by hir Maiesties authoritie and acte of Parliament.

Publik Ceri-
mings.

8 They teach, that neyther the Ministerie nor people of this Realme ought to make any generall reformation, neyther with force and armes, or otherwise of their owne authoritie, change any lawes made or established for religion by authoritie of Parliament: but they holde that the generall reformation doeth belong to the Magistrate, as Gods Lieutenant, to deale in: and that for them selues they may and ought in dutifull and christian sorte both preache, write, and sue to the Magistrates for redresse of enormities, & also practise the ordinances of Christ which he hath comanded his Church to keepe to the ende of the world: and therefore they haue not incurred the dangers of lawes made against Riots, Routes, or unlawfull Assemblies.

General Re-
formation by
the Magistra.

1. Mar. c. 12.
1 Edw. 6. 17.
25. H. 8. c. 19
1 Eliz. c. 1.

Diffamation
of her Maiessty.

23. Eliz. c. 2.

9 They detest all such as aduisedly, falsly, or maliciously slander or diffame her most excellent Maiessty: and therefore they be not felons by the statut prouided against spreaders of *Newes* or false rumours.

M. Nowel and
others.

10 They doe mainteyne, that (according to the appro-
ned doctrine of England) Emperours, or any Christian magistrats whatsoeuer, being mebers of the Church of Christ, ought to submit them selues to excommunication, or other ecclesiastical censures, being duely, orderly, vppon iust occasion, according to the comaundements of Christ, executed.

Excommuni-
cation of Prin-
ces.

Daneus and
the rest.

11 That a Magistrate standing excommunicated, ought to be obeyed and honored in all respectes of subiection, for custome, subsidie, loue, or any other imposition or seruice whatsoeuer of body, goods and landes, as if he were not excommunicated. And therefore they abhorre the Antichristian and most pestiferous doctrine of the popish sorte, that

Excom. Princ.
obeyed.

giueth liberty to the subiect to withhold his seruices and duties from the Magistrate, so long as he standeth excommunicate.

Church government

12 Their suite to her Maiestie and this honorable state, is, that it may be permitted and enacted by lawe, that the church of Christ may be ruled by such lawes, orders, and officers, as Christ him selfe hath expressed in his word.

The scope of their bookes and supplications to the Parliaments

Pastors and Teachers.

13 That euery Congregation professing the faith and obedience of Christ might haue one or two sufficient Teachers, faithfully labouring in the worde of God & doctrine: so mainteyned as they might keepe hospitalitie: not hindered or intangled with ciuill offices, whereby their flocke should be neglected.

Elders

14 That euery such Congregation might haue assistant to their teaching Elders, some of the fittest, best, and most godly of the Church, who should ioyne with the Teachers in the ecclesiasticall ruling and gouerning of the Church according to the worde of God.

15 They would not haue these men any whitt to encroache vppon the Magistrates authoritie, to punish anie man externallie, with anie pecuniary or corporall penaltie: but that they also bee subiect to the higher powers: and keepe them selues within the compasse of their calling for the seruice of the Church, as Christ hath appointed.

Deacons

16 That in euery such Congregation there might bee some appointed of the most honest and sufficient men to gather for the poore, to keepe the Church treasurie, for the vses of that Church, and to the reliefe of the poore amonge them, and other neighbour churches.

Widowes

17 That also there might bee appointed some graue and olde Helpers or Widowes, qualified as the Apostle commaundeth, 1. Timoth. 5. 5. 9. 10. to tend the sicke, aged, friendles, and needie of the Church: and (as they could) other neighbours, or wayfaringe men, that people might not languish or dye in our streetes and high wayes, for want of reliefe, as is most pitifully to beholde in manie places.

Blessing and ordination of Church offi.

171

18 That all these should bee chosen and ordeyned in such manner and by such persons as the worde of God, the practise of the best primitiue and moderne Churches doeth warrant.

That

19 That if any dissention growe or cause of grievance bee giuen in anie particular Church by the Minister or Officers, the partie griued might appeale to a particular Synode, from the particular Synode to a Prouinciall Synode, from a Prouinciall Synode to a Nationall Synode. Which Synodes should bee appointed at sett times: The more particular the Synode is, the more often the Synode for the time to bee moderated by some fitt man chaungeably by election, that might write, speake and praye in behalfe and at the direction of the rest. Or the partie griued might appeale from the particular Congregation or Synode, immediately or at the firste instance to the Magistrate, who ought to punish both the Ministers and other ecclesiastical officers, if they abuse their places and authoritie, not vsing them according to the direction and warrant of the worde of God.

Appeale

De 2. cor. 1. 24. in praesent.

20 They doe not meane that there should bee appointed presentlie and out of hande these Officers aforesaide in euery of our Churches, as they nowe stande (for there doe lacke Ministers, and people fitt for these purposes) but they humbly desire that such people as be alreadie capable hereof, and willing to liue as becommeth the Churches of Christ, might, as they are commaunded by Christ, so also be permitted by the Magistrate thus to ioyne and walke together according to the worde of God: that it might be enacted and required also by publike authoritie of the Magistrate, that all these should execute their offices, and liue in such sorte, manner and forme, as Christ hath giuen direction to his church in his last will and Testament: that with all good order might be taken for trayning vp of youth for the ministerie of the Church: and thus at length, by the blessing of God, all her Maiesties subiectes, which wil walke as the Churches of Christ, might be furnished, guyded, & gouerned in manner aforesaide: and so liue in all christian and duetifull obedience to God and her Maiestie.

General reformation.

21 They doe professe and protest, that they can and will auowe this Reformatiō, which they desire to be most agreeable to the Scriptures, to haue the testimonie of the best and most learned men that haue bin since the Apostles, that it is not preiudiciall to hir Maiestie, to the Lawes, to the state, but

Defense of Reformat.

H

pro-

profitable euery way, and commaunded by Christ to be kept of his Church vnto the ende of the world, both vnder Christian and Heat hen Magistrates: as they make challenge to proue against all the learned men in the worlde, that are contrary minded, if they may bee hearde.

Mat. 28. 20.
1. Tim. 6. 14

This is the summe of their professed opinions, & of the Reformation desired, as I doubt not but they will testifie if they bee called in question to acknowledge the same. They that condemne them vppon their aduersaries reportes (who intollerable doe slander them in manie thinges, and are altogether partiall in their owne cause) doe shewe them selues to bee men of small discretion or Christian charity.

To the godlie Reader.

MAruel not, good Reader, that I doe not affixe my name to this my Treatise. It is not knowen who was the writer of the Epistle to the Hebrewes, & of diuers other monuments of holy Scripture, neyther of sundry bookes published heretofore, and of later dayes in defence of the doctrine & gouernement of our Church in Englande. If a trueth, and nothing but the trueth be deliuered, it skilleth not whether the professor thereof bee known or not. Wherefore I doe iustlie condemne the vaine curiositie of some undiscrete persons, who being placed in no degree of authoritie, are not content to enioy the fruits of other mens labours with thankesgiuing, but doe continuallie exercise & trouble them selues in calculating and diuining who bee most likeliest to be the authours and procurers of their good. If they had any consideration of the iniurie of the time wherein an indifferent well willer may scarcely be hearde to speake the trueth, or if they weighed the grieuous molestations to others, and unprofitable pleasure that may hereby ensue vnto them selues, they would bridle these unrulie longing affections, least that they preuayling against them in needles trifles, doe at length get grounde vpon them in greater matters. Rahab hath procured to hir self a memorable commendation for
hiding

hiding Gods seruantes when their aduersaries and hir Maisters, sought to apprehende them. If the holy man that wrote to the Hebrewes thought it most conuenient in godly policie to keepe his name vnknewen, assuredly they should haue bene deemed curious and idle brained, that would eyther haue bene inquisitive to know the same, or hauing knowledge thereof, would foolishlie haue blabbed it abroad to others. Which things I speake rather in behalfe of others, then in feare of any daunger that might growe vnto my selfe by this enterprise. For first, that which I haue written, can not I trust, offende any reasonable and not partiallie affected person: or if it doe, the vprightnesse of myne own conscience, and loyaltye both to this Church and common wealthe, will (I hope) enable me to sustaine and endure with cheerfulnessse, all the malice and displeasure of anie enimie to a godlie peace. Secondlie, I doe not desire at any mans handes the fauour of concealement in this action. For although I haue attempted & published this my trauell without making my self knowen to any creature, yet when my apparance shalbe found more profitable to the Church then my concealement, I will come forth and iustifie my words in such manner and forme as I haue written. In the meane time I wish euery trewe harted Christian, to pray for the peace of Ierusalem, that now at length hir Maestie (if God will) rather then any other Prince succeeding, may haue the honor in reconciling the two twinnes that strine together in the body of our Church, to the great perill and daunger of the whole.

Nubecula est, cito transibit.

H 2

Cer-

Certaine Articles wherein is discouered the negligence of the Bb. their Officials, fauourers and followers in performance of sundrie Ecclesiasticall Statutes, Lawes, and Ordinances Royall and Episcopall published for the gouernement of the Church of Englande.

Out of the Statutes.

Oth ex officio.

1 BY the statute of 25. *H.8.* cap. 14. It is accounted by the Parliament against equitie and due order of Iustice, to bring any man in daunger of his life, name, goods, or landes, by any intrapping interrogatories, or by anie other meane, then witnesse, verdict, confession or presentment. Yet the Bishops doe examine the Queenes subiectes vpon intrapping interrogatories without verdict, witnesse, confession or presentment, to the daunger of their liues, names, landes and goods: for making, printing, or dispersing of seditious booke & sundrie other grieuous crimes, vpon wayne surmises, or secret suggestions of lewde persons, who dare not auowe their accusations in the face of the Defendants. Whereby the Subiects be intollerably molested, without remedie or costes and dammages awarded for their vexations, and molestations wrongfully sustained.

Baile.

2 All men are baylable that are not prohibited by law to be bayled, 2. *West.* cap. 15. yet the Bb. denie bayle to some that ought not to be imprisoned, much lesse be vnbaykable by any lawe.

Seal of citation.

3 No officiall or other officer should take any more then three pence for the seale of a citation, else they forfayte double costes and dammages to the partie grieued, 23. *H.8.* ca. 9. 1. *Eliz.* cap. 1. yet they vsually take more vnder colour of signing or subscribing a citation, which is a thing in law not materiall, *Termes in Lawe.* 21. *Faits.*

Pope's Lawes.

4 No forreine Constitutions, whether they be the Popes or Emperours lawes, haue anie force in our state. Onely such Synodall and Prouinciall Ordinances as haue bene made within this Realme, are confirmed for lawe, 25. *H.8.* cap. 19. yet the Bishops in their Consistories doe put in practise the

Ro-

Romish and Imperiall constitutions, not contenting themselves with the Statutes, Injunctions, and other Ecclesiastical ordinances of this Realme.

5 Such Canons and Constitutions onely as be not repugnant to the lawes, statutes & customes of this Realme, ought to be put in practise, 25. H. 8. cap. 19. But the Bishops giue sentence in infinite matters, which would be otherwise ruled by the common lawes.

Canons repugnant to the common lawes.

6 The lawe accompteth them Ministers who are made after anie other order then is prescribed in the lawes of Englande, so that they will subscribe to the Articles of faith and doctrine, 13. Eliz. cap. 12. yet the Bishops haue reckoned such men as haue bin ordeined ministers in reformed Churches, to be lay men; though they esteeme a popish priest a sufficient minister.

Ministers of reformed Churches.

7 The lawe requireth a subscription to the Articles of religion onely, that concerne the confession of trewe faith and doctrine of Sacramentes, 13. Eliz. cap. 12. The Bishops vrge a subscription to the bookes of Homilies, and diuers ceremoniall and transitorie matters, neither concerninge faith nor Sacrament.

Subscription.

8 If the Bishops publishe any Canons or orders to be practised without the Royall assent of hir Maiestie, they should be fined and imprisoned, 25. H. 8. cap. 19. Notwithstandinge this statute, they publish Subscriptions in their prouinces, & Articles in their Diocesses without any assent of hir highnes.

The Queenes assent to Bb. Articles.

9 By the Statute 23. Eliz. cap. 1. the Ordinarie or his Ministers should not take any thing for allowing or licensing a Schoolmaister to teache. And neither the statute nor any injunction or lawe requireth a subscription by Schoolmaisters yet it is famouslie knowen, that they extort of Schoolemaisters for licences to teache, of some 7. shillings, of some tenne shill. of some a marke, according to his state that admitteth them, whether he be Archb. Bishop; Chauncelour or Officiall. The Iustices of peace ought to cause this grosse and palpable extortion to be inquired of at their Sessions. The enforcing of subscription vpon Schoolmaisters is vpon like warrant of lawe and iustice.

Licences to teach.

10 By the great Charter confirmed by many Kings of Englande in Parliamentes, and by the auncient Bb. by their Excommengments, *None should be imprisoned but by the lawfull*

imprisoned without lawe.

judgements of his Peeres, or by the lawe of the lande, Mag. Chart. Cap. 29. The Bishops will punishe men for not swearing vainely, and Women for not being Churched, &c. without triall or shewing authoritie of lawe to warrant their proceedings, to the great prejudice of the auncient and lawfull libertie of English subiects.

Out of the Common Lawes.

Oth ex officio.

11 By common lawe a man shall not be examined vpon his othe in matters that sounde to his reproche. For no man is bounde to accuse him selfe, *Crompt. 182.* yet Bishops would examine men vpon their othes in case of felonie, as for writing and publishing of seditious bookes.

Cited to witnesse.

12 No man should be cited to a spirituall court, to depose there in any matter as witnesse: for this is extortion and tort to the partie, *Fitz. Inst. of peace, pag. 172. b. Crompt. 219.* this is not remembred of our spirituall Doctours.

Ex officio.

13 No Bishop ought to appoint a man to appeare before him to take an oth *ex officio*, sauing in matters of marriage and Willes. And the cause of the appearance must be expressed particularly in the citation, otherwise it is against law, as Iustice Fitzherbert sayeth, *Nat. bre. pag. 41.* yet the Bb. boldlie presume against this lawe.

Out of the booke of common prayer, authorised by act of Parliament.

Morning and Evening prayer.

14 It appeareth by the Kalender which assigneth 4. chapters to be read euery day through the yeare, Also by the preface and order of reading the Psalmes, that the morning and euening prayer should be read euerie day through the yeare, eyther publikelie or priuatelie, except great busines hinder: yet they be onely read vpon Sundayes, Holidayes, Wednesdayes, and Frydayes, and Saintes Eues.

Toll the bell.

15 The Curate must toll a bell to seruice, that is, he must eyther doe it him selfe, or appoint an other: yet this is deputed to the Sexten or Clarke, who is founde by the Parish, and not by the Curate.

Clarks office.

16 The people are to answer the Priest to say, AMEN, and such like: yet this is permitted to the Clarke alone in most

c Preface to the communion book.

d Rubricks at morning prayer at the communion and communion.

most places, who after the popishe order must supply the roome of the vnlearned and say *Amen*, as the papistes doe abuse the scripture to that purpose.

g I. Co 14. 16
f Rubrick before Te Deum.

17 Where there is singing, there the *Lessons should be sung in a plaine tune*, and likewise the *Gospell and Epistle*: yet I haue not knowen this vsed in Cathedrall Churches.

Sing Lessons.

g Rubrick before the communions.

18 The g names of Communicantes *before they receyue* should be signified to the Curate, yet this is not regarded in most places.

Communicants Names.

h Rubrick before the communion.
Quenes In iunct. 21. A. 11.

19 The h Curat (be he neuer so base) should not suffer notorions ill liuers, *such as haue wronged any by worde or deed, neither men out of charitie* (be they Earles, Counseillours or others) *to be partakers of the Communion, till they haue declared them selues openly to be repentant and reclaimed*: yet notorious lewde persons be admitted, and men of state (without exception) are not hindred, nor any open confession of sinne is vsed by any offendour, but whom the Officiall appointeth, though the i authours and confirmers of the communion booke doe generally with it.

Notorions offenders suspended from the Lords supper.
Open confession of sinne.

i In the communion.

k First Rubrick.

20 The k Minister should vse the *ornamentes appointed by King Edward*, yet not he alone, but the Clarke also doeth vse a surplice in many churches.

The Clarks Surplice.

l Rubrick next after the communion.

m Pag. 5.
n D Bridg. pa. 33.

21 In l Cathedrall and Collegi. Churches, the *Communion should be ministred euery Sunday at the least*. This is not practised. The m Aduertissement appointeth the *first Sunday in euery moneth*. But the Bishops n Articles tie Ministers to vse the forme prescribed in the communion booke & no other.

Communion in Cathedrall Churches.

o Exhort after pub Baptisme.

22 The Godfathers and Godmothers are o commanded, that they 1. *shall call the children for whom they promise, to heare sermons*. 2. *They must provide that they be taught to learn all things necessarie for Christians*. 3. *That they bee vertuously brought up*. Which things all Godfathers and Godmothers might be inforced to doe (for the lawe will not commaunde a thing without allowing a meane to effect it) yet the Bishops doe neuer inforce this by ecclesiasticall censures, though infinite children doe, for want of this helpe, perishe in ignorance.

Godfathers & Godmothers duty

p Rubrick next fol. confirm.

23 Bishops are commaunded to confirme children: yet diuers Bb. doe not vse it, albeit by p lawe, no man should receyue the Communion till he were first confirmed. A good plea for papistes to refuse the communion, this confirmation

Confirmation of children.

tion would cause children to learne the principles of Religion, for none should be confirmed till he could say the *Lords prayer, Ten commaundements, and the short catechisme.*

Catechising of
all sortes of
men.

24 Curates of every Parishes ought vppon Sundayes and holy dayes halfe an houre before euen-song openly instruct and examine children, seruantes, and prentices in the Catechisme. A profitable worke feldome or neuer vsed by the Bishops followers. By the booke of Canons the Curate may examine any of what age or degree soener, be they olde or yong, noble or vn-noble. The Bishops account it tyrannie in some Ministers to expect or exact this thing.

q Rubrick be-
fore the Cate-
chisme.

r Rubrick next
fol. confirm.
and Queens
inuent. Art. 44

spag. 14. and
16.

Examination
of communi-
cantes.

25 None must be admitted to the Communion that can not say the Catechisme. Therefore Curates should examine Communicants, and seclude them that be found wanting in knowledge: but this is not regarded.

r Rubrick next
fol. confirm.

Banes before
Marriage.

26 v Banes should be asked three seuerall Sundayes in the open Church: yet Bishops dispen- ce with asking banes *Non obstante* this booke confirmed by Parliament, as if a Bishop might dispen- ce with penall Statutes.

v Rubrick be-
fore Marriage.

Out of the booke of ording Deacons, &c.

An Albe

17 The partie presented to the Bb. should wweare *A plain Albe*, by the booke of ording Ministers, confirmed by Parliament yet this garment is not vsed.

w Book of ord.
minist. pa. 30
and. 47.

Deacon to look
to the poore.

28 The Deacon by part of his office ought to searche for the sicke, poore & impotent of the parishe, & intimate their estates to the Curate, &c. But now the office of a Deacon is accounted meere spiritual.

x 8. Eliz. c.
y Bo. of ord.
minist. pa. 230

Tunicie

29 The Deacon must read the Gospell in the day of his Ordination, & putting on a Tunicie: but this vesture is scarcely knowne at this day.

z Book of ord.
minist. pa. 25.

Idle and Non-
resident mi-
nisters.

30 The Bish. must tell * the Minister at his Ordination, That if his Church or any member thereof, doe take anie hurte by his negligence, that a horrible punishment will ensue to him. Hee chargeth him, neuer to cease his labour, care and diligence, till he haue done what lyeth in him, according to his duetie, to bringe all that are committed to his charge, that there be no error in Religion, or viciousnes in life left in them: yet it is manifest, that the Bb. Pricstes, and Chaplens, are most negligent in their charge, turning ouer their trauell to other, which they are charged here

* Book. of ord.
minist. pa. 50.
and 51.

here to performe in their owne person.

a B. of ord.
minist. pa. 52

31 The booke would haue them to ^a *giue the selues wholly to the ministeriall vocation as much as lieth in them, to apply them selues to that one thing, to drawe all their care & studiees that way and to that ende:* yet they attende ciuill offices and worldlie affaires impertinent to the charge here giuen to them. Ciuill offices in Ministers.

b B. of ord.
minist. pa.

32 The ^b Bish. chargerth, and the Priest promiseth to *Minister the discipline of Christ, as the Lord hath commanded, And as this Realme hath receyued the same accordinge to Gods commaundements, not otherwise.* Christes Discipline.

c Mar. 16. 19
Ioh 20. 23.
Mat. 18. 18.

For the word *And* noteth two distinct things in that clause, whereby all Ministers are authorized to *excommunicate* as wel as Bb. (for the Lord hath commaunded this ^c *Discipline of Excom.* to all Ministers alike) also they may *admonish and suspende from the Lords supper* (for this Realme hath receyued these censures, and giuen them to euerie minister according to Gods commaundement in that behalfe) yet the Bishops doe retaine the power of *Exco- munic.* in their owne handes, assigninge it to such as please them most.

d Booke of
ord. minist.
pag. 55.

33 The ^d Bish. likewise chargerth and the priest promiseth to vse not onely publike but also priuate admonition & exhortacions both to the *sicke and to the whole within his cure:* yet their Chapleins and Doctours accompt their duetie discharged, if some time they preach publikelie, and neuer conferre priuatlie with their flocke in pointes of religion. For Christ, say they, knewe not the persons & faces of his flocke, neither is this expected of his Ministers, both which be vntue. Priuat admonition by Ministers.

e Booke of
ord. of min.
pag. 61.

34 The booke at the ordination of euerie Minister directeth the Bish. to say to the Minister, ^e *Take thou authoritie to preache the worde of God, and to minister the holy Sacraments in this Church.* In which wordes we obserue, 1. That the booke and Parliament which confirmed it, doe intende that euerie Minister should be a Preacher. Ministers Preachers.

This also may bee proued by many other circumstances in this booke. 2. A full licence & authoritie is giuen to euerie Minister to preach, therefore he may alwayes, after this authoritie giuen, aswell preache as minister the Sacraments, without a licence: neither is it materiall that the ^f Iniunctions or ^g Aduertisements do will that a Minister should haue a licence to preache, for this booke of *Ordering Ministers being authorized*, 8. Eliz. cap. 1. and 13. Licences to preache.

f Art. 8.
g Iniunct.
pag. 4.

Textes out of
Apocryph.

Where Priests
should be or-
deined.

Bb. neede not
nor ought not
admit unprea-
ching minist.

Ministers
without a
cure.

Coopes. Pa-
storall Staues.

Eliz. cap. 12. In the Articles of Religion, Artic. 36. doeth countermande the Iniunctions & Aduertisements that went before. 3. No Minister hath authoritie to preach out of any booke but *Gods worde*. 4. The Ministers & Deacons should be ordeined in the Congregation to which they are presented: not in the Bishops Chappell, else the booke would not say, *Take authoritie to preache in this Congregation*. For it can not be imagined that all the Priestes which a Bishop maketh haue authoritie to preach or exercise their office in the Bish. Chappell when they list. Yet notwithstanding the authoritie of this booke, the Bb. admit ministers who be no Preachers, whereas this booke and their owne authoritie by Lawe (*Artic. Cler. cap. 13.* might answere any *Quare impedit*, if they would refuse a Clarke for non abilitie of preaching. Also, notwithstanding this booke, to get money (for if that be not their purpose, let them doe it *gratis*, but then they would not stick at it) they compell men, being ordered after this book, to take newe licences to preach, not being contented when they shewe them their letters of orders, which the Bishops at their pleasure vpon a supposed misdemeanor doe vse to take from them. Furthermore, sundrie of the Prelates doe preach and take their textes out of the *Apocrypha*, wherein they goe beyonde their commission, vnlesse the *Apocrypha* be a parte of the scripture, as one of the Bishops doeth intitle it. Lastly, notwithstanding the intent of this booke, they ordeine Ministers at large *in nubibus*, without a cure, they neuer ordeine them in the Congregation to which they are presented, that the people of the Church (who are likelie to be most inquisitiue into his conuersation that shalbe their Pastor) might except against them, for the Bb. a willeth the people present to speake if they knewe anie impediment or crime in the person presented that may hinder him from the ministerie. Which (by all likelihood) can not be meant of a people of a straunge parishe, nor of the Bishops famelie, vnlesse the Bish. famelie be like the knights of the post in *Westminster*, who knowe all men, their conditions, landes, and estates, though they neuer sawe or heard of them before.

35 All the Bishops that be present at the consecration of Bishops, should weare ^b *Coopes and Surplesse*, hauing their *Pastorall Staues* in their handes: They retein the Surplesse, fel- dome the Coopes, but they neuer vse their Pastorall Staues.

a Booke of
ordi. minist.
pa. 47. & 48.

b B. of ord.
minist. pa. 65.

One

Out of the *Queenes Iniunctions.*

c Preface to
the Iniunct.
d Artic. 3.

e Artic. 4.

36 By the *Queenes Iniunctions* (which should be executed in ^c all hir Highnes Realmes and Dominions) all ^d ecclesiasticall persons having cure of soules, ought to preache in their church, and euery other cure they haue one sermon euery moneth.

12. or 16. Sermons yearly in all Churches.

And in their ^e owne person they should preache once euerie quarter, or else read an Homelie: so that in euery parishe in England, Ireland & Wales, there should haue bin twelue sermons preached euery yeare, either by the Minister or his deputie (as it is expounded) and the minister in proper person should haue preached foure sermons or red foure Homelies euerie yeare since hir Maiestie began hir raigne: yet there be many hundred churches within these Dominions, especially in Wales, Irelande, the Northren & Western partes, that haue scarcely had twelue sermons in twelue yeares: and there bee many persons that cry formalitie, that come not twise in a yeare at their charge to benefite the people by any dutie.

f Artic. 6.

37 ^f *Erasmus Paraphrases* should be had in all Churches, yet the Bishops wil be more careful to enquire if euery parish haue a surplese rather then to enioyne any booke learning.

Erasmus paraphras.

g Artic. 7.

38 Ecclesiasticall persons should not play ^g at dice, cardes, tables, or any other vnlawfull game, but vse some other honest exercise, as ^h shooting: but the Bb. chaplens and followers, that pretende most obedience to the *Queenes* lawes, doe more offende in these matters then any other Ministers.

Dice, Cardes.

h B. of canon.
pag. 13.

Shooting.

i Artic. II.

39 ⁱ All *Nonresidents* which may dispende aboue twentie pound yearly, ought to distribute the 40. parte of their liuing to the poore of the parishe: but this is lightly regarded of the most, as I suppose.

Nonresidents beneuolence.

k Artic. 12.

40 ^k Whosoeuer, Parson, Vicar, &c. may dispend in ecclesiasticall promotions aboue 100. pounce yearly, should giue for euery 100. pound, three pounds six shillings and viij. pence yearly to so many poore schollers in the Vniuersitie or Grammer schooles, as he hath hundred pounds, that hauing profited in learning, they might bee made pertners of their Patrons cure, and orherwise be employed for the good of the common wealth. The Bishops doe not inioyne their Chapleins, their Deanes and Doctours to subscribe to this article, though if this one article had bene obserued by our formall Prelates (who be accompted the onely obedient subiectes) as it should haue bene, and yet bee if our Bishops did

A charge laide upon riche Prelates.

regarde the Queenes orders, there would haue growen and hereafter growe more profite hereby to the Church & State, vnder hir Maistie, then hath ensued by all episcopall subscriptions for these hundred yeares. Marke Bish. it is your fault that learning decayeth, and that there wanteth a continuall supply of learned Ministers. If this Article had bin performed, there might haue bene relieued yearly, euer since hir Maiest. came to the Crown, aboue 1000. poore schollers, who for want of maintenance, haue applyed their time & trauell to other matters. Blush at your negligence herein.

Reading the
Injunctions.

41 The Queenes ^a Injunctions ought to bee read in the Churches openlie once every quarter. But this were no wisdom: for then the people would expect many things at the Bishops and their Priestes handes that are not conuenient to be knowne of the common sorte. a Art. 14.

Howe holy-
dayes should
be spent.

42 The holidayes should be ^b spent in hearing God word, in priuate and publike prayers, in reconciliation of enemies, receyuing the Sacramentes and visiting the poore, *using all sobernes and godly conuersation*, yet the Bb. them selues & their Priestes (who should bee ensamples to the flocke) bestowe these dayes prophanely at bowles, hearing Commedies and Tragedies, &c. which bee farre from the dueties both here and in the scriptures commaunded. b Injunct.
Artic. 20.

Superstitious
pictures and
paintings.

43 All ^c *superstitious pictures, paintings in walles and glasse windowes should be abolished out of Churches and houses*: yet many Church-windowes be full of such pictures, and (as I heare) the Bb. be not without such paintings in their Chambers. c Artic. 23.
and 35.

Ministers
Wives.

44 The ^d Wiues of Ministers and Deacons should bee allowed by the ordinarie and two Iustices of peace. Many forward Chapeleins regard not this. d Artic. 29.

Habites and
square caps.

45 All ^e Cleargie people should weare their habits *square cappes, &c.* and no ^f hattes but in iourneing: yet there bee a number of the Bishops Priestes that breake this order as well as the Minilters that seeke reformation. e Artic. 30.
f Adm. p. 9

Travellers to
heare sermons
in straunge
places.

46 The ^g Injunctions allowe a man to be absent from common prayer at his owne parish Church, and to resort to another in the same Towne, to heare a sermon: yet the Bishops and their Officialles punishe men in such cases, vnlesse they will giue them a Marke, or such like fee, for a licence of absence. g Art. 39.

Where

h Art. 49.

47 Where^h Musicke is vsed in churches, it should bee in such a distinct & modest song, that the same might be plainlie vnder stood, as if it were read without singing. But the curiositie of Cathedral churches doth disdain this simplicitie.

Curious chaunting.

i Art. 50.

48 None of the Queenesⁱ subiects should call one another *Heretike*, *Schismatike*, or vse any such like worde of reproch: yet the Bb. their libellers, and flatterers, call hir Maiesties subiectes (and that falslie) *Scismatikes*, *heretikes*, *puritans*, and such like, as appeareth by their pamphlettes & cholericke brables.

Names of puritans, scismatike, &c.

k Artic. 52.

49 Whensoever the^k name of *I E S V S* is pronounced in Sermon, Lesson, or otherwise, all men should vncouer their heads, and make a legge: yet the Bish. and their Chaplens seldome vse this, vnlesse it be at reading of the Gospell, as if the Gospell were more holy then the rest of the Scripture: especiallie they forget it when lustely & brauely they sweare by Iesus.

Name of Iesus.

l Admonit. annexed to the Iniunct.

50 The^l Queene accounteth and calleth them hir good and lawfull subiects, that acknowledge hir Maiestie to be the sole supreme gouernor ouer all the subiects in hir Dominions. But the Bb. accompt some such men papistes & traitors.

Seekers of no format good subiects.

a The conclusion of the Iniunct.

51 The^a offendours against the Iniunctions are to be punished by *deprivation*, *suspension*, *excommunication*, &c. by the ordinaries. The Iustices of peace are to assist them: yet howe many of the Bb. ministers haue bene depriued, &c. for not causing twelue sermons to be preached euerie yeare in their parish? For playing at Cardes, Dice, &c? For not distributing the 40. parte of their liuinge to the poore? For not allowing fise markes to a poore scholler? For not reading the Iniunctions, for mispending the Sabboth? For not wearinge square cappes? For calling their brethren puritans? &c. For not kneeling when they sweare by Iesus? And for terminge hir Maiesties good and obedient subiectes, papistes and traitours? These Iniunctions and ordinances appointed by the Queene, are forgotten: But the Bish. bee carefull ynough to vrge subscriptions, *other ex officio*, and such like vnprofitable and *Apocryphall stratagemes*, their owne deuises.

Violaters of the Queenes Iniunctions.

Out of the Bishops Aduertisements.

b Aduer. p. 4.

52 By the^b Aduertisements, a Minister should pay for the

I. 3.

wax,

Licences to
preache.

wax, perchement, and writing of a licence to preache onelie foure pence : how this is obserued, I referre my selfe to the Licentiats and licentious preachers of our time : but of such men commonly no licence is required.

Nonresidence.

53 No^c man should be absent from his cure, but in respect of Sicknes, seruice, or studie at the Vniuersities: yet it is knowen, that many be absent, hauinge no such respectes to drawe them away.

c Aduer. p. 4.

Cloakes.

54 All ecclesiasticall^d persons should weare in iourneing cloakes with sleeues : yet many great patrons of formalitie doe not vse them.

d Aduer. p. 20

Out of the Bishops Canons.

Bb. seruants.

55 By the booke of Canons agreed by all the Cleargie of the prouince of *Canterb.*^e The houlholde seruants of Bish. should be of good life, of sound religion, orderly & modestly apparelled : yet many instances may be giuen to the cōtrarie.

e Booke of
Can. pa. 4.Base fellows
made minist.

56^f None must be made minister that hath bin brought vp in husbandrie or some other base and handie craft labor, nor any but such as haue a *title* whereby they may liue if they become blinde, and fall into any languishing or continuall sicknes : yet the Bishops make their blind porters, and such other worne and forlorne seruitors, ministers, hauinge no *title* but the ministerie to relie vpon.

f Booke of
Can. pag. 5.

Aduowsons.

57 The Bb. should^g not graunt to any the next or 3. aduowson of any prebende or benefice, for (they say) those aduowsons are farre from good doing and christian charitie: yet presentations and aduowsons to churches before they be voyed, be notoriouslie and vsually graunted by the Bb.

g Booke of
Can. pa. 5.

Booke of Mar.

58 There^h should be in Cathedrall Churches, in Prebendaries and Deanes families, the booke of *Martyrs*, that all commers in might read it, yet the most doe wante it, as I am perswaded.

h Booke of
Can. pag. 6.Chancell. ci-
uilians.

59 Eueryⁱ Chauncelor, Commissarie and Officiall should be learned in the *Ecclesiasticall and ciuill lawes* : yet many ministers vtterlie ignorant in those faculties doe beare such offices.

i Booke of
Can. pag. 11.Vnpredching
minist. should
be Scholemai-
sters.

60 All^k vnpreaching Prelates should teache children to write, to knowe their duetie to God and others : yet the parishioners are burdened to finde scholemaisters for these matters.

k Booke of
Can. pag. 16.

61^l Churchwardens should be chosen by the minister & people,

l Booke of
Can. pa. 19.

people, they should admonishe and warne any (*noble or unno- Election by the people.*
ble) that offende others by adulterie, drunkennesse, much swearing,
baudrie, usurie, and other wickednes in life. And if they will
 not heare the Churchwardens, the Church-wardens should
 shewe the faulte to the Parson or Curat (be he neuer so base)
who should more sharply and vehemently reprove them. And if
 they continue still, *they should drine them from the communion.*
till they be reformed. This profitable order of discipline is al- *Discipline.*
 togither neglected, both it and election of Church-officers
 by the people, are reputed dangerous, seditious, and scif-
 maticall in those that seeke to haue them established sound-
 lie practised and prosecuted with effect.

a Booke of
 Can. pa. 25.

62 The whole cleargie of that Prouince doe agree, that
a Nonresidence is a thing in it selfe to be abhorred and odious to the Nonresidence.
 people, and pernicious to the Church of God: yet they reteyne
 nonresident Chaplens about them daylie, countenancinge
 such men most, oppugning in Parliament the Nobilitie and
 commonaltie that speake against it.

b Ibidem.

63 No man^b should haue about 2. Benefices at once, nor
 distant asunder about 26. myles: yet many haue 3. or 4. scat-
 tered one from another 100. myles.

c Booke of
 Can. pa. 36
 d Artic. of
 Religion. 33.

64 All^c men should eschewe the company of an *Excom.*
person, ^d he should be esteemed an heathen and publican: yet our *Company of*
 iolie Prelates (such is their learning euen in the common ar- *excom. persons*
 ticles of our religion) doe call our *Excommunication* a ciuill
discommuning, and make no scruple to company with such
 persons. I doubt if the matter were well examined, the most
 of the Bish. them selues haue bin excommunicate *ipso facto*,
 and still continue in that state for the breach of the statute of
Magna charta, and infinite Prouinciall and Nationall consti-
 tutions. Wherevpon they are disabled to sue any actions, and
 are to be esteemed as heathen and publicanes.

It were endlesse to account all the cases wherein the Bb.
 their Officers, their Chaplens and hang-bies doe offende a-
 gainst our Synodall and Proninciall constitutions, against
 their owne bookes and Articles, published in their Synodes
 and Cōuocations. It would make a large volume to remem-
 ber wherein they proceede and giue sentence in their courts
 con-

contrarie to the Statutes and common lawes of this Realme: Thus much is sufficient to set the Gentlemen students of Englande a worke, to searche more narrowlie into these things then they haue done, that they may by their paines in studie, redeeme hir Maiesties lawes from the captiuitie, wherein they are deteyned by the Cleargie. By these Articles it appeareth, that our Bishops doe not of conscience to God, and honor to hir Maiestie, exclaime against the Seek. of Reformation, for not yeelding in all things to hir Injunctions, lawes, and other proceedings. For if they did *bona fide & ex animo* in deed honor hir Maiestie, and seeke the aduancement of the Gospell of Christ Iesus, they would bee more carefull and sedulous to see the profitable and necessarie ecclesiasticall lawes put in execution, rather then to inforce such as be lesse profitable and needfull. For whether is it mote requisite to the glorie of God and good of hir Maiestie and this Realme, that Ministers should Catechise their Parishes, that they should debarre notorious offendours from the Communion, That Sabbath dayes should be kept holy, That Church Wardens and Ministers should admonishe priuatelie all (euen the most Noble) to leaue their faultes, The Nonresidentes and fatt beneficed persons, should relieue the poore at home, & studious scollers abroad, That ther should be twelue sermons yerelie in euery parish through England, Wales and Ireland, That no Aduowsons should be graunted, That the pernicious and detestable sinne of *Nonresidence and Pluralities* should be reformed, and such good orders practised. Is it not more requisite, I say, that these thinges should be looked vnto, rather then the wearing of a surplesse? Marrying with a Ring? Chriftening with a crosse. Subscription to an Article, and soch like? Yet it is apparaunt to all men, that Bishops, their Officialles, Deacons, Doctours, and Favourers are more curious in vrging and vsing the latter then the former: yet both haue like authoritie from hir Maiestie and them selues. I suppose the Bishops and their followers would be as vnwilling to execute the Queenes lawes and Injunctions, as any favourers of reformation, if they were vrged therevnto in earnest. It is certaine, that the Bb. can tolerate the neglect of all these and innumerable other dueties in one of their flatterers, whereas if a man bee but suspected to mislike in heart the Lordlie gouernement of Bishops, he

shal

shalbe sure to haue all extremitie shewed against him if hee
 offende but in the least ceremonie. Yea greater seueritie shal
 be vsed for neglect of the least and most improfitable obser-
 uation, then for neglect of the most necessarie & important.
 O England, Englande, howe long wilt thou bee misled by
 those carnall wordlinges that haue their speciall care to ad-
 uance and inriche them selues and their posteritie, rather the
 to obey thy lawes or the lawes of thy God, bee they neuer so
 holie, so necessarie and godlie! Who hath bewitched thee,
 that thou canst not see that they bee more rebellious, more
 schismaticall, more disloyall and disobedient subiects, who
 acknowledge thy lawes to be good and godlie, but doe des-
 pise them, euen the greatest of them, then they that yeelding
 to the greatest matters, doe of conscience refuse such thinges
 as be least profitable and expedient in any church. O that hir
 Maiestie would appoint faithfull, trewe, christian & English-
 harted men in deed, to examine these things: to call the Bb,
 their Chaplens, and Officers to accout in these matters, shee
 should finde that they be of the most vnderfull subiectes in
 all the lande, and they that bee nowe least regarded, would
 be founde the most trustie, most godlie and obedient of all
 other. My wordes will proue true in the dayes of triall, when
 these things shalbe regarded and rewarded with indifferen-
 cie, and then (Bishoppes) assure your selues that the day of
 your desolation is at hande.

Howe long O Lord holie and trewe!?

Come Lord Iesus, come quicklie,

Reuel. { 6.10.
 { 22.21.

K Cer-

Certaine Questions or Interrogatories, drawē by a fauourer of Reformation, out of the former treatises and other wringes concerning Reformation, wherein he desireth to be resolued by the Prelates, which the Printer hath thought good here to annexe.

Q*uare*, whether the right honorable and chiefe Iustice of England Sir *Christopher Wray* Knight did not at the examination of *H. Barrowe* in the Bish. of *Londons* pallace, as firme that me should incurre no penaltie for opinions which they held doubtinglie. And whether a man may not without breach of lawe *Divine* or *Humane*, for his further satisfaction make *quarres* and doubtes in speciall causes, shewing withall the reason of his doubting: affirming nothinge peremptorie or positiuellie, but submitting him selfe to founde resolution. If that be graunted, why may not I be a *Put-case*, and say as followeth:

Queras de dubijs, legē bene discere si vis. Quarere dat sapere, &c. sayth Littleton.

English orders

2 *Quare*, whether the forme of prayers, administration of the Sacramentes, attire of Ministers, and other church ceremonies in England, doe more agree to to the Apostolicall & primitiue order, or to the vse of the Romish church. And whether popish orders be more seemelie & conuenient, then the Apostolike.

Popish ceremonies.

3 *Quare*, whether our rites and ceremonies taken from the papistes, doe not giue them offence and harden them in their sinne, seeing *Harding* doeth gather thereby, that *Pope-ry* is not so ill as it is commonly reputed. And *Bristowe* sayeth, *That our religion and Communion were nothing worth, vnesse we borrowed from them and their Masse-booke:* and whether all indifferent things that giue offence vnto the weake, ought not by *Pauls* doctrine, be remoued from the church.

a Preface to the answer of the Apolog.
b D. Fulk, Ret. pag. 97.

Cap, Surplesse &c.

4 *Quare*, whether the square *Cappe*, *Surplesse*, and other monuments of popery and idolatrie condemned in general by the *Queenes* *Iniunctions*, *Bishops* *Articles*, and *publike* doctrine of England, and other Christian churches, misliked and wished to be abolished by *Bullinger*, *Alasco*, *Bucer*, *B. Pilkington*, and *Bale*, derided by *Bucer* and

c 1. Cor. 8. 10

d An. 23.
e Cano. anis. 59. 1559.
f Rain. con. pag. 596.

g Harm. confes. 538. h Martyr Epist. pa. 11. 27. annex. loc. com. i His iudgment written 5. E. 6. Septem. 20. k Cen. Liturg. An. in opus. p. 458. ad Cran. epist. & ad Hoop. in opus. l Lett. to the E. of Leic. 1625. 1564. m Declarat. of Boners attic. pa. 97. 99. n B. Pilk. Let. to the E. of Leic.

Mai-

o. Añ. and
 mon. 1430.
 c. 1431.
 p. Epist. Mar.
 pag. 1127.
 q. In opusc.
 r. Añ. and
 Mon. 1430.
 s. Añ. and
 Mon. 1419.
 t. In Ind. fo. 33
 v. Instit. lib. 4.
 cap. 10. f. 29.
 w. Epist. p. 70
 x. Añ. and
 Mon. p. 1431.
 y. Añ. and
 Mon. p. 1659.
 z. Admonit.
 to England.
 a. pag. 219.
 b. pat. 206.
 c. Declar. of
 Bon. art. pa.
 100.
 d. Catech. 1.
 part of his
 works, pa. 486
 e. 1. Cor. 14. 4
 f. D. Brid.
 defens. pa. 33.

Maister o Fox, refused to be worne by p Peter Martyr, q Bur-
 cer, r Hooper, s Rogers, Humfrey, Philpot, Bradfort, Haddon, &
 Saunders, (as I haue crediblie hearde) whether the Surplesse
 called by t Martyr, monstrous apparell, by v Calvin, Player-
 like apparell and vain visardes, by w Beza, f signes of the Baali-
 ticall Priesthood, by B. Ridley, x foolish & abhominable, too fond
 for a vice in a play, by D. Taylor, y apish toyes, and toyish trum-
 perie, by D. Poinet, z a Porters weed at Billingsgate, by the Bee-
 hing of the Romish church, a a smock and long b shirt, by Bale,
 c pretie toyes, by Becon, d Historiicall, scenicall, and bick scor-
 nerlike apparell. Whether I say this apparell thus accounted
 of by learned men (the best iudges of decencie) be decent &
 comelie for a preacher of the Gospell, and whether thinges
 vncomelie should not by e Pauls doctrine, bee abandoned
 the Church?

5 Quere, If Maiors, Iustices, Stageplayers & others, may
 not aswell be inforced to subscribe to the Bishops three arti-
 cles by the stat. of 1. Eliz. cap. 1. as ministers, seeing the stat.
 (vrge by f D. Bridges to that purpose) doeth reache to them
 aswell as Ministers.

6 Quere, If the Bb. that appoint other prayers to be vsed
 in the Church besides the prayers in the Comunion booke,
 doe not offende against their owne atticles and the statute of
 1. Eli. c. 1. which inioine that Ministers should vse the forme
 of publike prayer prescribed in that booke, and no other.
 Item, whether the Bb. thus offending against the stat. ought
 not to deale more mercifullie with the Ministers who haue
 offended in like qualitie.

7 Quere, whether the Marcionites did well, who (as Chri-
 soſtome vpon the wordes; What doe they that are baptized for the
 dead? reporteth) when any of their Catechumens or nonices in
 religion did die, had wont to hide one vnder the bed where
 the dead man was laide, and did aske the dead if he would be
 baptised: in whose name the partie vnder the bed did aun-
 swere, That is my desire: wherevpon the liue man was bapti-
 sed for the dead. And whether the questions and answers
 at the baptizing of Infants in the communion booke be not
 of like nature. When the minister sayth to the childe (as fitt
 to conceiue as a dead nian) Wilt thou be baptised in this faith?
 and the godfathers make answer, That is my desire.

8 Quere, Whether a man may with safe conscience sub-

Subscription.

No publike
prayers but
the commu-
nion booke.

The Marcio-
nites madnes.

Questions to
infantes.

*Psalmes in the
booke of com.
prayer.*

scribe that the booke of comon prayer conteyneth nothing contrarie to the Scriptures, whereas the translation of the Psalmes therein comprised in addicion, subtraction and alteration differeth from the trueth of the Hebtewe in 200. places at the least.

*Libelling and
Rayling.*

9 *Quere*, Whether it be agreeable to the worde of GOD, lawe of England, and practise of any well gouerned Church, to punish that which is taken for slaundering, ribaudry and villanie, with returne of libells, ribaudrie and villanie. And whether *Almond for the Parret, Martins Monethes minde, &c.* doe not asmuch offende that way, as *Martin Marprelate*, or if they offende at all, why are they suffered, not punished?

*One of them
saith, I pro-
fesse rayling.*

*Purchasing
landes.*

10 *Quere* of *Matthewe a Sutcliffe* (who is alwayes carping at *M. Cartw.* purchase) why *M. Cartw.* may not sell the landes which he had by discent from his father, and buye o-ther with the money, aswell as some of the Bishops, who by briberie, simonie, extortion, racking of rente, waitinge of woods, and such like stratagemes, waxe riche and purchase great Lordships for their posteritie.

*Diffaming the
Queene.*

11 *Quere*, If the Bish. that ^b affirme it is vnlawfull to giue liuings appointed for ministers to lay men, or *D. Bridges* as- firming that a priest may be Lord ouer hir Maiestie, or *Doct. Bancroft* that ^d calleth hir Highnes a *petie pope*, doe not dif- fame and dishonour hir Maiestie, and are therefore felons.

Supremacie.

12 *Quere*, If the Prelates who say ^e that the othe of the Supremacie importeth that hir Maiestie may deuise what Church-gouernement she pleaseth, be not in the worde of a Prince and by award of lawe *Malicious persons*, seeing ther- in they ascribe more to hir Highnes then the Othe of *Supre- macie* with the exposition thereof importeth. And whether the Seek. of Reformation yeelding to the othe with the ex- position, be not hir Highnes *good and obedient subiectes*.

*Archbish. of
Cant. popes.
* Hugo the
pope.
Legate.
† Pope Vr-
bane.*

13 *Quere*, Why the Archbishops of *Cant.* should not ra- ther be called *Popes* then *Primates of all England*, seeing ^f that a ^{*} Cardinal gaue them the name of *Primates*, & a [†] Pope did assigne them the name of *Popes*.

*Diffamers of
L. Bb.*

14 *Quere*, If *Wiclene, Luther, Caluin, Latimer, Tindall, Barnes* and other were nowe alieue, and should speake against the Lordship of Bish. as they doe in their writings, to which prison the Bishops would sende them, whether to the Fleete, Clink, Marshallie, or gate house. Whether bookes scene,
al-

a Engl. treatise.

*b Admonit.
against M. M.
pap. 252.
c D. Bridg.
defen. p. 448.
d D. Banc.
serm. p. 68.
lin. 19.
e Bb. at the
examinat. of
Bancroft.*

*f See Lamb.
Per. of Kent,
pag. 65. Cant.*

allowed, & publikelie sold by authoritie, doe containe matters of felonie, and diffamatorie to the Queene.

15 *Quere*, wherein the papists haue deserued so well that mainteining errours, heresies, and blasphemies, accountinge in generall our doctrine, our Bishops and Magistrates, hereticall and impious, should finde more grace then Seekers of Reformation, and why they should not be condemned as felons for their abominable doctrine.

Papists fa-
uoured.

16 *Quere*, If the Bb. proceeding against men *Per ordinem inquisitionis* (as Do. Cosins said at the examination of Maist. Carrw.) doe not therein imitate the papall order vsed by the Bb. in time of crueltie and blindnes.

Inquisition:

g Iohn 18.
19, 20, 21.

17 *Quere*, if Christ were before the Bishops, & were demaunded of them concerning his doctrine, and should answer, *I speake openlie, &c. why aske ye me? aske them that heard me what I saide vnto them: beholde they know what I said*, whether making this answer, he should be committed as Maist. Bambridge and Maist. Johnson were in Cambridge, and as many other godly Ministers be ordinarily vpon like occasion.

Oth in open
causes

18 *Quere*, If by the Iudiciall lawes, by the course in the Chancery, or Star Chamber any man be forced to sweare before he knowe the cause (at least in generall) wherevnto he is to take his oth.

General oth.

19 *Quere*, whether by the lawes of Englands, euery Bish. is not bound to cofirme children, aswell as Ministers to marie with a ring, and whether popish yong men not yet confirmed by any Bishop, may not without daunger of lawe refuse the Communion, seeing by the booke of Comon prayer, none must receyue the Lords supper, till he be confirmed.

Confirmation
of children.

a Bristowes
Motines.

20 *Quere*, whether an ecclesiastical Iudge may punish Bristowe the papist for a writing that our Communion booke is an apish imitation of the Masse booke, seeing the statute giueth onely that authoritie to Iustices of peace. Item, whether Bristowe deprauing the Communion booke, may bee deprived of all his spirituall promotions for the first offence against the statute, seeing the statute appointeth, That he who the seconde time depraueth the Communion booke, being convicted thereof by verdict, &c. shalbe deprived of his spirituall promotions. Item, whether the lawe doeth not fauour the puritane asmuch as the papist.

Spiritual
court punish-
ing deprauers
of the commu-
nion booke.

b 1. Eliz. c. 2.

21 *Quere*, whether Adulterie is to be punished by the Or-

Adultery pu-
nished by In-
dic. of peace.

87 QUARRIES TO BE RESOLVED

ordinarie, seeing the punishment thereof (without anie saving to the spirituall Court) is giuen by ^c statut. to the Iustices of peace. And whether a man may be punished by two corporall or pecuniarie punishments in two seuerall Courtes for one and the same cause. c 18. Eliz. c. 3

Articles put in
vnto without
the Queenes
assent.

22 *Quare*, If any Ordinarie haue contriued, promulged, and published Articles in his owne name without assent of hir Maiestie vnder scale, and inforced hir Highnes subiectes to subscribe vnto the same: And for not subscribinge, haue suspended or deprived them. And whether an ordinarie thus doing, may not be ^d imprisoned & fined at the Queen. pleasure.

d 25. Hen. 8.
cap. 19. 1. Eli.
ca. 1. Ro. 1.

Citations by
ordinaries to
depose as wit-
neses.

23 *Quare*, whether an Ordinarie may cite a man to appeare before him in his Court to depose as a witnesse, seeinge ^c Iustice Fitzherbert sayeth, That it is extortion and wrong to the partie. And howe many of the Bishops be extortioners in that behalfe?

c Inst. of peace
ca. 17. 2.
Crompt. pag.
219. b

Accuse a
mans selfe.

24 *Quare*, whether a man ^fshalbe examined by othe of anie thing that soundeth to his reproche, seeing that *Nullus tenetur seipsum perdere*: and whether seisme and heresie be not matters that sound to a mans reproche.

f Crompt. In-
stic. of peace.
pag. 82.

Oth enioyned
ex officio.

25 *Quare*, If an Ordinarie or an ecclesiasticall Iudge, citing men *ex officio* to sweare to accuse them selues in causes ^g neyther Matrimoniall nor Testamentarie, whether a Prohibition will ly against them or not. Item, whether the ordinarie and his officers ought not to surcease this manner of proceeding vntill the controuersie moued, and now dependinge therevpon in the Starre Chamber by meanes of the opinion of some of the reuered Iudges, and of the right worshipfull and famous Lawier Maister Cooke, be determined. Item lett it bee inquired, if (notwithstandinge the displeasure of the Prelates) the graue & learned Iudges of this noble Realme, priuatelie debating these matters, whether among them the *maior saniorque pars* polloi kagathoi, did not condemne the practises of the Prelates, as repugnant to lawe.

g Regist pag.
36. Rastall.
Prohibition 8.
Crompt. Inst.
of peace, p 52.
last edit. Fitz-
herb. natu-br.
pag. 41. a. 2.
E. 6. cap. 13.
Rastall Tithes
10. Pulton
Tithes. 31.
25. H. 8. ca. 14
preamble.

Mai. Crompto
seemeth to
think that the
Bb. be for this
matter in the
premunire,
Inst. of peace,
36. But quare

High Com-
mission.

26 *Quare*, if these Iudges that haue onely commission to deale in causes which by ^h Ecclesiasticall authoritie may bee ordered, may cite men *ex officio*, to take an othe before them, to accuse them selues, in matter neither Testamentarie nor Matrimoniall. Item, whether such ecclesiasticall Iudges may by vertue of the statute wherevpon their commission is grounded, commit the Queenes naturall subiectes to prison, especially

h Eliz. cap. 8
Rast. Crown.

a See the
Writt, De ho-
mine Repleg.
the stat. Rast.
ut. mainprise.

ally for refusing to take the oth *ex officio*, being ministred in causes neither *Matrimoniall* or *Testamentarie*. Item, whether they ought to commit any of the Queenes subiectes to prison, & when he tendreth sufficient baile or suertie, especially in cases where baile and mainprise is not taken away by anie statute. Item, whether if any in such case be committed the Writt *De homine Replegiando* doeth nor ly. Item, what satisfaction *D. Cosins*, *D. Bancroft*, *D. Stanop*, and others hauing onely commission in matters to be ordered by Ecclesiasticall power, ought to make to hir Maiesties free and louinge subiectes, who haue *ex officio* bene cited by them to take an othe in cases neither *Matrimoniall* nor *Testamentarie*, & refusing to take that oth haue bene committed by great multitudes to prison without baile or mainprise in cases not debarred from baile by any itature. Item, whether may they keepe such persons by them committed in prison monethes and yeares, without calling them to answere, or accusing them of anie ctime. Item whether for this dealing they doe not deserue to smell of the like punishment them selues.

‡ Quere if a
Writt of false
imprisonment
will not lye in
this case.

27 *Quere*, whether any Ecclesiasticall Iudge hath conuented, examined, and comitted any for matters felonious touching the Queenes Crowne and dignitie, and whether these practises doe not *instante*, *instantius*, *instantissime* craue the *b Premunre*.

b 16.R 2.c.5

1.H.7.4.b. per
Huffey chief
Iustice.

28 *Quere*, whether Sir Iohn *Markham* chiefe Iustice of Englande, did not tell King *Edwarde* the 4. that hee might not arrest anie man for suspicion of treason or felonie (as any of his subiects might) because that if he did any man wrong, the partie might haue no action against him. And if the King by imprisoning a man may do him wrong, much more may any subiect: and therefore good remedie may bee had against him for so doing.

Imprisoning a
man without
warrant of
lawe.

29 *Quere*, Whether it be not lesse daunger to blaspheme the blessed Name of the great God, then to speake against a L. Bishop. Item, whether moe Ministers haue bene depriued within these seauen yeares for ceremonies of men, then for drunkenes, whoredome, and other breaches of the lawe of God.

Blasphemie

30 *Quere*, Why the Ministers may not refuse to weare a Surplese, as a Bishop to vse a *Pastoroll staff*, seeing the lawes doe inforce them both alike.

Pastoral
Staves.

Seekers of re-
formation doe
suffer for reli-
gion.

31 *Quare*, whether the Seek. of Reformation bee not in-
dangered of their life, and withheld from their libertie on-
lie for their religion and conscience in matters of Discipline
professed by forraigne Christian Churches, yea and authori-
zed in England, seeing notwithstanding all surmises of diffa-
ming his Maiestie or raising rebellion, their life and libertie
is daily offered to them by the Bishops, if they will renounce
and recant their opinions. And whether haue the popishe
persecuting Bb. in Englande at any time heretofore executed
any man that agreed with them in their faith and doctrine,
onely because he differed from them in matters of externall
forme, ceremonie, or circumstance, as our Bb. doe attempt
by all indeuour.

Prepensed pur-
pose no argu-
ment of ma-
lice.

32 *Quare*, whether he that publisheth bookes with long
premeditation & fore-consideration, doeth publish the same
with a *Malicious intent*, seeing fewe men deale in any action
of importance, but with great deliberation, though it falleth
out often, that they labour against the trueth, and yet are not
adiudged *Malicious persons*. And if a Councelor or Serieant
doeth often by long aduise argue against the trueth, and yet
without *Malice*, howe doeth a prepensed and long intended
purpose proue a *Malice in the Anshour of the Demonstration*,
or any other writer.

James Daltons
argument a-
gainst Maister
Vdall.

Officials must
take notice &
iudge accor-
ding to the
common lawes

33 *Quare*, whether the Bishops and their Officialles doe
not oftentimes in their Courts, sentence, iudge, and rule cau-
ses contrarie to the customarie and common lawes of En-
gland aswell as against the Statutes in matters of *Diffamati-
on, Testaments, &* such like. And whether a *Prohibitio* should
not proceed against them, if they determine any case against
the common lawes, customes, and statutes of this Realme,
seeing the statute of 25. H. 8. cap. 19. doeth establish such spi-
rituall lawes onely as are not repugnant to the *Lawes, Custo-
mes, and Statutes of Englande*.

Canons and
civil lawes.

34 *Quare*, By what authoritie the Bishops doe practise &
put in execution the *Popish and Ciuill Lawes in their Courtes*,
seeing the statute of 1. Eliz. cap. 1. doeth banishe out of this
Realme *all forreine authoritie*. And seeing the statutes of 25.
H. 8. cap. 19. 1. Eliz. cap. 1. doe onely respect and authorize
the *Canons, Constitutions, &c. Prorinciall and Synodall*, which
haue bene made heretofore within this Realme of England.
And whether the Bb. for doing thus be not in the *Premunire*
or

or at least imprisonable and finable at hir Maiesties pleasure.

35 *Quare*, Whether they inroaach more vppon the ciuill Magistrate that in their Courtes deale with Willes, Tithes, Mariages, &c. That excommunicate for money, That disable men by their excommunications to sue any accusations in their owne right, That make dispensations to their Souueraine vnder their hande and seale, That be Barons of the Realme, Iustices of peace, And punish by fine, imprisonment, losse of limme and life, as the Bishops doe, or they that onely admonishe, suspende and excommunicate, and proceede no whit at all any further, as the *Eldership* doeth and would doe.

The Bishops content to enroaach vpon the Magistra.

The Queene may not doe some lawfull things vnesse the Archb. of Canterb. vnder his hand & seale dispense with hir. See statute 25. H. 8. c. 21.

1. Eli. c. 1. Rome. 3.

A set gouernement in the Church.

36 *Quare*, if *Moses* vnder the lawe, and *Timothie* and others vnder the Gospell needed to haue a forme of gouerning the Church prescribed to them by the Lorde, whether it be likelic that the Lord would commit the Church to *M. Whitgift*, *M. Cooper*, *M. Bancroft*, and others to frame a gouernement for it at their pleasures.

37 *Quare*, if *John a Stile* should graunt there was a gouernement by Elders in the primitiue, Apostolicall and best Church, and should call the same gouernement a popedome and tyrannie, whether this did not ranklie smell of detestable atheisme.

The Apostolicall gouernement called a popedome.

38 *Quare*, whether the Churches in *Scotlande*, *France*, the *lowe Countries*, *Hungarie*, *Polelande*, *Bohemia*, *Saxonie*, *Heluetia*, and the Countie *Palatine of Rhene*, and whether *Zuinglius*, *Oecolampadius*, *Melancthon*, *Bucer*, *Caluin*, *Zanchius*, *Martyr*, and infinite other, the most excellent Diuines in all the worlde, commending the continuance of the *Eldership*, be all *Anabaptistes*, *Puritanes*, rebels, traytours, mar-shales, mar-lawes, mar-princes, and mar-alls: and *Doct. Baucroft*, *Matthewe Sutcliffe*, &c. the onely good subiectes in all the worlde.

Fauourers of Reformation.

39 *Quare*, whether the *Kinges of France* and *Scotlande*, the *Princes of Condy* and *Orange*, the *Duke of Saxonie*, the *Countie Palatine of Rhene*, the *States of the lowe Countries*, many other *Dukes*, *Princes*, *Marquesses*, *Earles*, *Barons*, and other *Christian* and noble *Potemates*, who haue mainteyned, fauoured & preferred the *Ministers* that stand for *Reformatio*. And whether here in *England* the *Right honorable Sir Ni-*

Patrons of the Minist. that seeke Reformatio.

82 QVARES TO BE RESOLVED

cholas Bacon, L. Keeper, the Earles of Bedforde, Warwicke, and Leicester, Sir Franncis Walsingham, Sir Water Mildmay, Sir Amias Pawlet, and other right Noble Lords, Counsellours, Countees and Countesses would haue contenauned & protected the Ministers that seeke Reformation, if they had perceyued them to be enemies to the Queene and State, worse then papistes and miscreantes: And whether our Prelates bee more trustie to hir Maiestie, and prouident to auoyde daunger, then those excellent personages were.

Admonition.
Suspension.
Excommunication.

40 *Quere*, whether a Minister ought not to admonish the mightiest Prince of his duerie, refuse to administer the Sacrament vnto him, if he be a notorious offendour and pronounce him to be no member of Christ in the Communion of Saintes, if he continewe obstinate in open crimes. And whether vnder the Lawe ^a David and other Princes were not subiect to ceremoniall expiations, and the spirituall power of Priestes and Prophetes. And whether ^b Ambrose did wel in vsing like authoritie towards an Emperour. And lastlie, whether *Zanchinus, Caluin, Bucer, Nowell, Jewell, Bilson, and Bridges*, approouing the like, be traytours, popes and tyrants.

a *Psal.* 51. 7.
b *Theodore*
lib. 5. cap. 18.

The desired
forme of gou-
uernement in
corrupt use
in England.

41 *Quere*, why there may not be vnder a Christian Magistrate, *Pastours, Teachers, Elders, Deacons, and Widowers*: aswell as *Parsons, Lecturers, or Schoolemaisters, Church Wardens, Chancellours, Collectours for the poore, and Hospitall Women*, seeing these doe and may execute in authoritie and power the whole forme of Church-gouernement desired, though their practise thereof is infinitely corrupted against the Canons of the Apostles, to the daunger of the Church, and dishonor of the Realme.

The high com-
mission like
an Eldership.

42 *Quere*, whether the Ecclesiasticall *High Commission* be not in effect an *Eldership*, wherein some gouerne with ministers, who by profession are temporall Lawiers, Ciuilians, meere lay men. And whether this gouernement consisting of spirituall and temporall persons, bee a *Medley*, a *Linse Woolle Discipline*, as the *Remonstrance* calleth the *Eldership* which is nowe desired.

No disparage-
ment to resem-
ble the high
Commission to
an Eldership.
Princes & No-
bles in France
haue bin of the
Eldership, not
inferior to the
high Commis-
sioners.

The gouerne-
ment by Elders
confessed by
the enemies
thereof.

43 *Quere*, If the sole gouernement of a Bishop in a Diocesse bee sufficient and most agreeable to Gods worde, why is there an Ecclesiasticall Commission standing of many persons ciuill and ecclesiasticall, or if an Ecclesiasticall Commis-
sion

tion bee needfull in a Realme, why not in a Prouince, if in a Prouince why not in a Dioces, if in a Dioces, why not in a Deanrie, if in a Deanrie, why not in a Parilhe? Lastlie, why might there not without absurditie and breach of trewe vni-
formitie be planted in some places alreadie capable, a *Confi-*
storie or Commission of Elders, though the like cannot present-
 lie be accomplished in all, seeing there be newe ecclesiasticall
 Commissions erected, Deanes and Chapters, Broken Mu-
 sicke and Organes in some places, not in other.

*Eldership in
 some places,
 though not in
 all.*

Hearken you Sages and Iudges of the Law,
 it is expected at your handes, that you see
Enen Iustice done to all hir Highnes subiectes, rich & poore,
 without regarde to anie person, papist,
 Protestant, puritane, or other. If you suf-
 fer hir Maiestes subiectes that sue for iu-
 stice to be cited, punished, imprisoned,
 vexed and molested against lawe, by any
 Prelate or ecclesiasticall Iudge whatsoe-
 uer, you doe incurre the breache of your
 oth, and are in hir Maiesties mercie for
 your bodies, landes and goods.

13. E. 3. Sta-
 tut. 3. Rastall.
 Justice and
 right 3.

Pereat mundus & fiat Iustitia.